



# The Delegation Digest 2017-2018 Legislative Session

Palm Beach County Legislative Delegation

## Session Week 4

Jan. 29 - Feb. 2, 2018

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## Week Recap

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There was a continued focus on appropriations this week in both Chambers. The Senate filed SB 2500 - Appropriations, funded at \$87,297,406,427. The House filed HB 5001 - General Appropriations Act, which is funded at \$87,197,374,131. Both budget bills will be heard on February 7 during the House and Senate Sessions.



*The budget process continued this week in the House and Senate.*

## Bills and Policy

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HB 79 - Public Meetings by Rep. Rick Roth specifies conditions under which members of board or commission of state agency or authority or of agency or authority of county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions. The bill passed favorably out the House Local, Federal & Veterans Affairs Subcommittee on Monday. It is now in the House Government Accountability Committee.

Monday, the Senate Children, Families, and Elder Affairs Committee heard SB 1790 - Baker Act by Sen. Bobby Powell. The bill directs the Department of Children and Families (DCF) to create a work group to evaluate methods to improve the operational effectiveness of the Florida Mental Health Act. The bill identifies the members of the workgroup and provides that a report be provided to the Secretary of DCF, the Secretary of the Agency for Health Care Administration, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2018. The bill was found favorable with a committee substitute and is now in the Senate Appropriations Committee. HB 1377 - Baker Act by Rep. David Silvers is the House sponsored version.

Sen. Bobby Powell's bill, SB 1440 - Mental Illness Training for Law Enforcement Officers, passed favorably out of the Senate Criminal Justice Committee on Monday. The bill requires the Florida Department of Law Enforcement (FDLE) to establish a continued employment training component relating to mental illness. The bill specifies instructions to be included in the training component. Completion of the training component

may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer. It is now in Senate Appropriations Subcommittee on Criminal and Civil Justice.

On Tuesday, the House Oversight, Transparency & Administration Subcommittee heard HB 227 - Workers' Compensation Benefits for First Responders by Rep. Matt Willhite. The bill revises workers' compensation standards to provide indemnity benefits for a mental or nervous injury of a law enforcement officer, a firefighter, an emergency medical technician, or a paramedic, whether or not such injury is accompanied by a physical injury requiring medical treatment. The bill also requires an employing agency of a first responder to provide educational training related to mental health awareness, prevention, mitigation, and treatment. The bill was passed favorably with a committee substitute.

HB 1437 - Employment Services for Persons with Disabilities by Rep. Joseph Abruzzo was heard in the House Oversight, Transparency & Administration Subcommittee. The bill requires participants in an adult or youth work experience activity under either the Division of Blind Services or the Division of Vocational Rehabilitation be deemed an employee of the state for the purposes of workers' compensation coverage. The bill passed favorably out of committee on Tuesday and is now in the House Government Operations & Technology Appropriations Subcommittee.

Rep. Rick Roth's bill, HB 505 - Dependency Proceedings, was heard in the House Children, Families & Seniors Subcommittee. The bill revises types of information relating to identity the location of a child's legal father that fall within scope of court inquiry at a dependency, shelter hearing, or hearing regarding petition for termination of parental rights. The bill provides conditions for establishing paternity in dependency proceeding and requires notice of petition for termination of parental rights to be served on unmarried biological father identified under oath or by diligent search of Florida Putative Father Registry. The bill was found favorable with a committee substitute.

Tuesday, HB 1211 - Airboat Regulation by Rep. Joseph Abruzzo was heard in the House Careers & Competition Subcommittee. The bill creates "Ellie's Law" in honor of Elizabeth "Ellie" Goldenberg who died in 2017 from injuries she sustained after being thrown from an airboat on an Everglades airboat tour. The bill prohibits a person from operating an airboat to carry passengers for hire on waters of the state unless he or she has specified documents on board the airboat while carrying passengers for hire. A person who violates the airboat operating provisions commits a misdemeanor of the second degree, punishable by up to 60 days imprisonment or a \$500 fine. It was found favorable with a committee substitute. SB 1612 - Airboat Regulation by Sen. Kevin Rader is the Senate sponsored version.

SB 904 - Judicial Process by Sen. Bobby Powell makes changes relating to judicial processes governed by chapter 48, F.S. The bill clarifies a statute describing how long a notice of lis pendens precludes the attachment of liens or other interests on a property that is sold in a judicial sale. Several other sections revise statutes governing service of process. This bill clarifies that a notice of lis pendens precludes the attachment of liens or other interests on a foreclosed property until the instrument transferring title to the property is recorded. The bill passed favorably Tuesday with a committee substitute out the Senate Judiciary Committee and is now in the Senate Commerce and Tourism Committee.

The House Health Innovation Subcommittee heard HB 217 - Payment of Health Care Claims by Rep. Bill Hager on Tuesday. The bill amends ss. 627.6131 and 641.3155, F.S., to prohibit a health insurer or health maintenance organization (HMO) from retroactively denying a claim at any time because of insured ineligibility, if the insurer or HMO verified the eligibility of the patient at the time of treatment and provided an authorization number. The bill was found favorable with a committee substitute.

HB 721 - Mental Health and Substance Abuse Services by Rep. David Silvers was heard on the House floor Wednesday. The bill requires county jails to continue to administer the psychotropic medications prescribed by the Department of Children and Families (DCF) when a forensic client is discharged and return to the county jail, unless the jail physician documents the need to change or discontinue such medication. The jail physician has the final authority on medication decisions but must collaborate with the DCF physician to ensure that changing medications will not adversely affect the inmate's mental health or ability to remain competent to continue with court proceedings. Additionally, the bill requires county jails to send all medical information for individuals in their custody who will be admitted to state mental health treatment facilities. The bill also repeals the requirement for DCF to develop a certification process by rule for community substance abuse prevention coalitions. It passed by a vote of 114 – 0.

Also heard during the House's Session on Wednesday was HB 533 - Unfair Insurance Trade Practices by Rep. Bill Hager. The bill allows a property and casualty insurer to condition the sale of insurance on the purchase of motor vehicle services if such services are purchased from a membership organization affiliated with the property and casualty insurer and the affiliated membership organization has maintained more than one million members in Florida continuously since January 1, 2018. It passed by a vote of 110 – 0.

On Wednesday, the Senate Appropriations Committee passed favorably, SB 1130 - Land Acquisition Trust Fund within the Department of State by Sen. Bobby Powell. The bill re-creates, without modification, the Land Acquisition Trust Fund within the Department of State, and repeals s. 20.106(5), F.S., which is the subsection of law relating to the termination of such trust fund. The bill has been placed on the Calendar, on second reading.

The House Appropriations Committee heard HB 5301 – Judges by Rep. Bill Hager on Wednesday. The bill establishes two new circuit court judgeships, two new county court judgeships, and decertifies 13 existing county court judgeships. The bill also specifies the created judicial offices must be filled through the electoral process in the 2018 general election and not by gubernatorial appointment. Additionally, the bill provides guidelines for the elimination of the decertified judicial offices. The bill passed favorably and has been added to the Special Order Calendar.

HB 443 - Nursing Home and Assisted Living Facility Resident Rights by Rep. Emily Slosberg requires nursing homes and assisted living facilities to notify residents and the State Long Term Care Ombudsman of the facility's current contact information, including a functional telephone number, and of any change in contact information within 30 days after such change. The bill authorizes the Agency for Health Care Administration to take disciplinary action against nursing homes that fail to do so. The bill requires an assisted living facility to provide residents with 45 days' written notice of relocation or termination of residency. The bill also requires an assisted living facility that

is relocating a resident to provide the reasons for relocation to the resident or the resident's legal representative. Lastly, the bill requires assisted living facilities location information to be current and reported to agency for posting on its consumer information website. The bill was passed favorably out the House Health & Human Services Committee with a committee substitute on Thursday.

Thursday, HB 673 - Reporting of Adverse Incidents in Planned Out-Of-Hospital Births by Rep. MaryLynn Magar was heard in the House Health & Human Services Committee. The bill requires a physician, certified nurse midwife, or licensed midwife attending a planned out-of-hospital birth to submit an adverse incident report to the Department of Health, within 15 days of the occurrence of the incident beginning July 1, 2018. The bill provides definitions for an adverse event that must be reported and must include a medical summary of the events to be reviewed by the Department of Health to determine whether the incident involves conduct for which the health care practitioner may be subject to disciplinary action by the appropriate regulatory board or if there is no board, the Department of Health. The bill was found favorable with a committee substitute.

The House Government Accountability Committee heard HB 155 - State Symbols by Rep. MaryLynn Magar on Thursday. The bill removes the scheduled repeal of the Loggerhead Turtle as the official state saltwater reptile and the scheduled repeal of the Florida Cracker Horse as the official state horse. In addition, the bill designates the Florida Cracker Cattle as the official state heritage cattle breed. The bill was found favorable and has been added to Second Reading Calendar.

HB 33 - Texting While Driving, prime cosponsored by Rep. Emily Slosberg, amends the Florida Ban on Texting While Driving Law to change the current enforcement of the ban on texting while driving from secondary to primary, which will allow a law enforcement officer to stop a vehicle solely for texting while driving. The bill also requires a law enforcement officer who detains a motor vehicle operator for texting while driving to inform the operator that he or she has a right to decline a search of their cellphone. Lastly, the bill also requires a law enforcement officer to record the race and ethnicity of a person issued a citation for texting while driving. The Department of Highway Safety and Motor Vehicles must annually report this information to the Governor, President of the Senate, and Speaker of the House of Representatives beginning February 1, 2019. The bill passed favorably on Thursday with a committee substitute out the House Government Accountability Committee.

## **Local Bills**

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Tuesday, the House Natural Resources & Public Lands Subcommittee heard HB 1093 - Loxahatchee Groves Water Control District by Rep. Matt Willhite. This bill dissolves the Loxahatchee Groves Water Control District as an independent special district and transfers it to the Town of Loxahatchee Groves as a dependent special district. The bill repeals all special acts of the Loxahatchee Groves Water Control District and all provisions will become ordinances of the Town of Loxahatchee Groves. The bill would take effect if approved by voters in a referendum. The bill passed favorably and is now in the House Government Accountability Committee.

HB 1113 - Palm Beach County Housing Authority by Rep. David Silvers and Rep. Lori Berman was heard in the House Government Accountability Committee on Thursday. The bill allows the governing body of Palm Beach County to appoint two additional members to the Palm Beach County Housing Authority in addition to the five members that are appointed by the Governor for a total of seven members. The members appointed must be qualified electors of the county and are subject to removal or suspension by the governing body of the county. The bill was reported favorably and has been added to Second Reading Calendar.

## Member Highlights

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Please join me in wishing Rep. Bill Hager a happy birthday! His birthday is on February 6.

Rep. Matt Willhite, Chair of the Veterans and Military Families Caucus, held a press conference Thursday to highlight legislation the Caucus supports this Session. The Caucus was originally formed in 2011 but has not been active in a number of years. The Caucus was reformed to help build support for legislation aimed at assisting active military members, veterans, and their families. Members of the Caucus include legislators from both chambers and both political parties.

## Appropriations

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During the Senate Appropriations Committee meeting on Wednesday, committee members introduced a number of amendments for inclusion in the Senate budget bill, SB 2500 – Appropriations. Below are Palm Beach County specific approved amendments enrolled in the Senate’s budget.

- Amendment 995048 by Sen. Bobby Powell  
Loxahatchee River Preservation Initiative - \$2,000,000  
[Senate Appropriations Amendments](#)
- Amendment 995015 by Sen. Bobby Powell  
Palm Beach County Sheriff's Office Unmanned Aircraft System- \$300,000  
[Senate Appropriations Amendments](#)

## Palm Beach County Legislative Delegation

Delegation Chair  
Rep. Bill Hager

Delegation Vice Chair  
Rep. Matt Willhite

### Senators

Joe Negron  
District 25

Kevin Rader  
District 29

Bobby Powell, Jr.  
District 30

Vacant  
District 31

### Representatives

Joseph Abruzzo  
District 81

MaryLynn Magar  
District 82

Rick Roth  
District 85

Matt Willhite  
District 86

David Silvers  
District 87

Al Jacquet  
District 88

Bill Hager  
District 89

Lori Berman  
District 90

Emily Slosberg  
District 91

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*The Palm Beach County Legislative Delegation Office is a non-partisan office that serves all thirteen members of the Florida Senate and House of Representatives representing Palm Beach County in Tallahassee. The delegation office is responsible for: scheduling and coordinating all delegation meetings in Palm Beach County and Tallahassee; developing the delegation's legislative program including local bills, appropriation requests, and county and municipal legislative priorities; providing legislative assistance and research to the delegation during the legislative session; and serving as a liaison between the delegation and local governments and community organization.*