



# Delegation Digest

# APRIL 5-9 NEWSLETTER

Welcome to Week 6 of the 2021 Legislative Session. In this Week's edition of the Delegation Digest, we are highlighting legislation that was heard during Session as well as Delegation member legislation that is on the move. The budget was heard in each respective chamber this week and voted out. Now both chambers will start budget conferencing to negotiate between both the House budget and Senate budget. The House budget is currently \$2 billion dollars more than the Senate. The Revenue Estimating Conference met this week to revise their forecast for incoming tax dollars. This estimate will be used as lawmakers formulate spending plans for the coming fiscal year. Findings from the meeting include an additional \$2 billion added to Florida's revenue forecast. There is also \$10 billion from the federal in COVID relief that is available to the state.

The House budget is \$97.07 billion and the Senate budget is at \$94.95 billion.

Committees are still meeting and Session on both the House and Senate sides are discussing and voting on various bills.

To get more information on bills featured this week, click on the bill title.



# LEGISLATION HEARD ON THE FLOOR

Please note this is just a snapshot of the bills heard on the floor.  
You can visit [Myfloridahouse.gov](http://Myfloridahouse.gov) or [Flsenate.gov](http://Flsenate.gov) to view a complete list of bills.

**SB 354 - Restitution - by Senator Harrell** - The bill amends ss. 775.089 and 985.437, F.S., providing that while the primary purpose of restitution is to compensate the victim, it also serves the rehabilitative and deterrent goals of the criminal and juvenile justice systems. Additionally, the bill provides that restitution must be determined on a fair market value basis unless the state, victim, or defendant or child, shows that using another basis, including, but not limited to, replacement cost, purchase price less depreciation, or actual cost of repair, is equitable and better furthers the purposes of restitution. The court may consider hearsay evidence for the purpose of determining restitution, provided that the hearsay evidence has a minimal indicia of reliability. The bill was heard on the Senate floor and passed 40 yeas and 0 nays.

**SB 1134 - Department of Highway Safety and Motor Vehicles by Senator Harrell** - Updates the date of adoption of federal regulations and rules for commercial motor vehicles.

- Revises the length of time within which an officer of the Department of Highway Safety and
- Motor Vehicles (DHSMV) is authorized to give written notice requiring correction of an unduly hazardous operating condition from 14 days to 15 days;
- Updates statute to reflect the DHSMV is the agency responsible for the safe operations of nonpublic sector buses;
- Provides that current seat belt requirements are applicable when a vehicle is stationary at a traffic signal;
- Exempts from odometer disclosure a vehicle with a model year of 2011 or newer after 20 years;
- Provides that a motor carrier or vehicle owner whose registration has been suspended is required to return the license plate to the DHSMV or surrender it to law enforcement;
- Provides that a person who has been convicted of any felony involving human trafficking under state or federal law involving the use of a CMV may not be licensed as a CMV operator, or hold a CMV license;
- Provides that the expiration date for an original issuance of a commercial driver license is at midnight 8 years after the licensee's last birthday; and
- Incorporates violations for texting or using a handheld phone device while operating a CMV as a serious disqualifying offense, which may result in a person being disqualified from operating a CMV for a specified period of time, to align with federal regulations.

The bill was heard on the Senate and passed 40 yeas and 0 nays.

**SB 588/HB217 - Conservation Area Designations/Kristin Jacobs Coral Reef Ecosystem Conservation Area - by Senator Book** - Designating the Southeast Florida Coral Reef Ecosystem Conservation Area as the Kristin Jacobs Coral Reef Ecosystem Conservation Area. The bill passed the Senate floor with 40 yeas and 0 nays.

**SB 86 - Student Financial Aid - by Senator Baxley** - This bill would allow the legislature to decide each year during budget discussions on how much money would be available for the Bright Futures Scholarship Program. Right now the scholarship fund is funded by the Lottery system and is fully funded for the 2021-2022 fiscal year. The bill passed the Senate floor with 22 yeas and 18 nays. It will soon be heard in the House.

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**SB 252 Child Care Facilities - by Senator Stewart** - SB 252 creates the “Child Safety Alarm Act” and requires that after January 1, 2022, vehicles used by child care facilities to transport children must be equipped with an approved alarm system that prompts the driver to inspect the vehicle for the presence of children before leaving the area. This change is in response to reported deaths of small children who are left in vehicles during periods of hot weather.

The bill requires the Department of Children and Families (DCF) to adopt minimum safety standards for reliable alarm systems and maintain a list of alarm manufacturers and alarm systems that are approved to be installed in vehicles. The bill passed the Senate floor 39 yeas and 1 nay.

**SB 7076/7080 - Gaming** - These bills have not been heard in either the House or Senate floor. It will be heard in the Senate Regulated Industries Committee on Monday April 12. It may make its way to the floor in the next few weeks before session ends. The bill was filed on April 7. The Senate Regulated Industries Committee will take up these two bills next week. SB 7076 would establish additional enforcement measures to address violations of gambling laws and the conduct of unauthorized gaming in the state, including the creation of the Florida Gaming Control Commission and granting additional investigatory and prosecutorial authority to the Department of Legal Affairs. SB 7080 would update Florida law regarding the ban on live greyhound racing. The bill revises requirements for greyhound permitholders, jai alai permitholders and harness horse permitholders to conduct live racing or games. The bill would allow casinos operate card games without running harness or quarter horse races or jai-alai matches.

# MEMBER LEGISLATION ON THE MOVE

## Senator Powell

### **SB 1824 - Public Records/Division of Emergency Management or a Local Emergency Management Agency - UPDATE: The bill passed the Senate Government Oversight and Accountability Committee and has one more committee stop - Rules Committee.**

SB 1824 expands the current public records exemption relating to any information furnished by a person or business to the Division of Emergency Management or a local emergency management agency for the purpose of receiving assistance with emergency planning to exempt from public inspection and copying requirements the following information held by the Division of Emergency Management or a local emergency management agency:

- All data and records contained in an “emergency management electronic collaboration system”;
- Emergency response assessment reports prepared by the division or a local emergency management agency;
- Evaluation tools prepared by the division or a local emergency management agency; and
- After-action reports prepared by the division or a local emergency management agency.

The bill provides a public necessity statement as required by the Florida Constitution. According to this statement, the exemption is necessary to protect sensitive information regarding the state’s vulnerabilities in responding to emergencies. The public necessity statement also asserts that the exemption is needed to allow agencies to make candid written assessments of their responses to emergencies without making a public record of the assessments, which could be misunderstood or misinterpreted by the public.

### **SB 1810 - Care for Retired Law Enforcement Dogs - UPDATE: The bill has passed out of two of its three committees. it is now in the Senate Appropriations Committee.**

SB 1810 creates the Care for Retired Law Enforcement Dogs Program. The program will provide reimbursement for up to \$1,500 of annual veterinary costs associated with caring for a retired law enforcement dog by the former handler or adopter who incurs the costs. The bill requires valid documentation of the dog’s retirement from the law enforcement agency the dog served and a valid paid invoice from the veterinarian for veterinary care for reimbursement of costs to occur. The program will be administered and managed by a not-for-profit corporation in a contractual arrangement with the Florida Department of Law Enforcement (FDLE) after a competitive grant award process. The bill includes an appropriation of \$300,000 in recurring General Revenue Funds for the purpose of implementing and administering the program.

### **SB 824 - Bright Futures Scholarship Program - UPDATE: The bill has passed one out of its three committees with its next stop in the Senate Appropriations Subcommittee on Education.**

SB 824 allows a student that was found guilty of a felony charge, if committed while under the age of eighteen, to be eligible for an initial award from any of the scholarships under the Florida Bright Futures Scholarship Program.

## Senator Harrell

### **SB 1282 - Early Learning and Early Grade Success - UPDATE: The bill passed out of two of its three committees and has one final stop - Senate Appropriations.**

SB 1282 modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning to consolidate authority and oversight within the State Board of Education. The bill also transfers the Gold Seal Quality Care program to the Department of Education (DOE) from the Department of Children and Families and adds standards for accrediting entities.

# MEMBER LEGISLATION ON THE MOVE

## Senator Berman

**SB 358 - Water Safety and Swimming Certification for K-12 Students - UPDATE: The bill passed out of the Senate Education Committee and is now in its last stop - Senate Rules Committee.** The bill establishes the “Edna Mae McGovern Act,” which requires, beginning with the 2022-2023 school year, each public school to provide, to a parent who initially enrolls his or her child in the school, specified information on the important role water safety education courses and swimming lessons play in saving lives.

**SB 1070 - Estates and Trusts - UPDATE: The bill has passed out of two of its three committees and is now in its final stop - Senate Rules Committee.** The bill amends laws on the transfer of property through wills, probate, and trusts. The bill creates a comprehensive statutory framework for the creation and operation of a directed trust. Directed trusts are authorized by current law. The bill creates a comprehensive statutory framework for the creation and operation of a community property trust. Community property trusts are not addressed in current law. The bill amends probate law to provide that, absent specific intent in the divorce judgment, an ex-spouse is not a beneficiary of the former spouse’s will, regardless of when the will was signed. The bill also requires a probate court to allow a surety bond in lieu of a depository account requirement; provides that the limitations periods for an action against a trust’s trustee apply to directors, officers, and employees of the trustee; and applies homestead property law applicable to wills to homestead property held in a decedent’s revocable trust.

## Senator Polsky

**SB 1836: Public Records/Lottery Winners - UPDATE: This bill is now in Government Oversight and Government Accountability Committee.** SB 1836 amends s. 24.1051(3), F.S., to provide a public records exemption for 90 days from the date a prize is claimed, for the name of a winner of a lottery prize valued at \$250,000 or more, unless the winner consents to the release of his or her name, or if disclosure is required by other provisions of current law.

**SB 1946: Anchoring Limitation Areas - UPDATE: The bill has passed two of its three committees and is now in Senate Rules Committee.** SB 1946 provides that, notwithstanding the existing prohibition on local regulation of anchoring of vessels outside of the marked boundaries of mooring fields, a county may establish an anchoring limitation area within densely populated urban areas, which meets certain requirements imposed under the bill. The bill provides that the aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county’s navigable waterways.

# MEMBER LEGISLATION UPDATES

Updates on legislation highlighted in previous Delegation Digests

## **Representative Caruso**

**HB 803 - Access to Health Care Practitioner Services - UPDATE: The bill passed favorably its last committee - House Health & Human Services and has been placed on the second reading calendar.** HB

803 incentivizes physicians to provide pro bono health care services to certain low-income individuals and provides an opportunity for physicians from other jurisdictions and retired physicians to provide health services to low-income and medically underserved individuals in this state.

The bill requires Department of Health (DOH) to waive the renewal fee of a physician who demonstrates the provision of at least 160 hours of pro bono medical services to certain populations within the biennial licensure renewal period. Demonstration of 120 hours gains an exemption from the 40 hours of continuing medical education required for license renewal.

**HB 365 - Motor Vehicle Rentals - UPDATE: The bill passed two out of its three committees and is now in the House Commerce Committee.** The bill establishes statutory requirements for peer-to-peer car-sharing,

including surcharge and tax payments, and liabilities and insurance obligations among participants.

## **Representative Casello**

**HB 79 - Purple Alert - UPDATE: The bill has passed out of all its committees and has been added to the House 2nd reading calendar.** The bill would require the Florida Department of Law Enforcement (FDLE) to

establish the Purple Alert to aid in the search for a missing adult. Senator Berman is the Senate sponsor (SB 184) and it has passed two of its three committees and is now in Senate Appropriations Committee.

## **Representative Roth**

**HB 601 - Adoption - UPDATE: The bill passed favorably its last committee - House Health & Human Services and has been placed on the second reading calendar.** CS/HB 601 reduces the number of

simultaneous adoption actions that can be filed by multiple parties to adopt the same child. The bill authorizes a dependency court to review DCF's decision to deny an application to adopt and eliminates the requirement for a denied applicant to initiate an administrative review of DCF's decision under Ch. 120, F.S.

The bill requires a preliminary home study for all prospective adopters of a minor child who is under the supervision of DCF, or otherwise subject to the jurisdiction of the dependency court, regardless of whether that individual is a stepparent or relative.

**HB 1173 Florida Forever Bonds - UPDATE: the Senate companion bill, SB 1480 by Senator Brodeur, will be in the Senate Appropriations Subcommittee on Agriculture, Environment, and General Government on April 8.** This bill extends the date by which bonds issued to fund the Florida Forever Act are intended to be

retired to December 31, 2054. Under current law, the bonds are intended to be retired by December 31, 2040.

# MEMBER LEGISLATION ON THE MOVE

## **Representative Slosberg**

**HB 673 DNA Evidence Collected in Sexual Offense Investigations - UPDATE: The bill was heard in its last committee - House Judiciary, passing favorably.** The bill creates “Gail’s Law” to require FDLE, subject to an appropriation and no later than July 1, 2023, to create and maintain a statewide database tracking the location, processing status, and storage of SAKs. The database must be accessible by law enforcement, alleged victims, and alleged victims’ parents, guardians, or other representatives. The database must track the status of a SAK from its collection throughout the criminal justice process all the way through the kit’s destruction. The bill requires FDLE to adopt rules and that specified entities must participate in the database in accordance with those rules. The bill also requires FDLE to ensure that every victim or victim’s representative is notified that the database exists and is provided with instructions on how to use it.

## **Representative Skidmore**

**HB 1025 - Student Retention - UPDATE: The bill was heard in the House PreK-12 Appropriations Subcommittee passing favorably.** In recognition of the challenges presented by COVID-19 for student learning, the bill authorizes parents to request that their K-5 public school student be retained in the grade level to which the student was assigned at the beginning of the 2020-2021 school year for the 2021-2022 school year.

## **Representative Snyder**

**HB 279 - Enhanced Penalties for Criminal Offenses - UPDATE: The bill has been added to the House special order calendar.** The bills provides enhanced penalties for criminal offenses by amending s. 810.02(2), F.S., to re-rank a burglary offense one level above the ranking specified in the offense severity ranking chart (OSRC) if, during the course of committing the offense, an offender enters any dwelling, structure, or conveyance located on property owned by any law enforcement agency or fire department. As such, the bill may increase an offender’s criminal scoresheet sentencing points for an offense such as burglarizing the personal vehicle of a law enforcement officer or firefighter when the vehicle is parked on property owned by a law enforcement agency or fire department.

**HB 1045 - Delegation of the Administration of Prescription Medications - UPDATE: The bill has passed its first committee and is now in its final stop the House Health and Human Services Committee.** The bill authorizes a registered nurse to delegate to a CNA or HHA medication administration to a patient of a nurse registry. The bill requires a nurse registry that authorizes a registered nurse to delegate tasks to a CNA or HHA to ensure that such delegation meets specified requirements. The bill requires the Board, in consultation with AHCA, to adopt rules on the standards and procedures that a CNA must follow for medication administration to a patient of a nurse registry.

## **Representative Silvers**

**HB 311 - Pub. Rec./Assessment Instruments - UPDATE: The bill has passed all of its committees and is now on 2nd reading in the House.** The bill creates a new public record exemption that protects all examinations and assessments, including developmental materials and workpapers that are prepared, prescribed, or administered by FCS institutions, the state universities, or DOE. The State Board of Education and the Board of Governors of the State University System shall makes rules and regulations, respectively, governing the appropriate management of the protected materials

# MEMBER LEGISLATION ON THE MOVE

**HB 1233 - Genetic Counseling Patient Protection Act - UPDATE: The bill has passed two out of its three committees. It is now in the House Health and Human Services Committee.** HB 1233 - Genetic Counseling Patient Protection Act - The bill creates the "Genetic Counseling Patient Protection Act," requiring DOH to regulate and license genetic counselors. The bill:

- Creates requirements for initial licensure and renewal for genetic counselors;
- Authorizes DOH to adopt rules regarding continuing education requirements;
- Subjects genetic counselors to disciplinary action if they commit specified prohibited acts;
- Authorizes DOH to deny an application for licensure or impose penalties on a licensee who commits specified prohibited acts; and
- Exempts active-duty commissioned medical officers of the United States Armed Forces or Public Health Service and licensed health care practitioners from the requirements of the genetic counselor practice act.

**HB 1235 - Fees - UPDATE: The bill has passed two out of its three committees. It is now in the House Health and Human Services Committee.** HB 1235, which is linked to HB 1233, requires DOH to adopt rules relating to the issuance and annual renewal of genetic counselor licenses. The bill authorizes DOH to charge an application fee of \$25 for a genetic counselor license. The bill also authorizes an annual renewal fee not to exceed \$25. The bill allows DOH to waive the fee by rule. Proceeds from the collected fees must be deposited into the DOH Administrative Trust Fund and used for the administration of genetic counselor licensure. The bill was passed favorably by the House Professions & Public Health Subcommittee.

## **Representative Willhite**

**HB 29 - Dispensing Medicinal Drugs - UPDATE: The bill was placed on the House 2nd reading calendar.**

HB 29 expands this authorization to allow all authorized prescribers treating hospital patients, not just physicians, to prescribe medicinal drugs under these circumstances and extends patient eligibility to include a hospital inpatient upon discharge. The bill also authorizes a hospital pharmacy to dispense the greater of a 48-hour supply of a medicinal drug or a supply of a medicinal drug that is sufficient to last a patient until the end of next business day. The bill also authorizes a hospital pharmacy to dispense up to a 72-hour supply of a medicinal drug if the patient is located in an area in which a state of emergency is declared. Senator Harrell is sponsoring the Senate version of the bill (SB 262) and it is currently in Senate Appropriations.

**HM (House Memorial) 71 - Recognizing Veteran Suicide - UPDATE: The bill has been added to the House Special Order calendar.** Urges Congress to recognize veteran suicide & fully fund suicide prevention efforts by United States Department of Veterans Affairs.

# PALM BEACH COUNTY LOCAL BILLS

HB 979 - Village of Wellington - Palm Beach County - Sponsored by Representative Willhite - **UPDATE: The bill has been added to the House special order calendar.** The bill provides an exemption from ss. 791.001 and 791.08, F.S., and prohibits the sale and use of fireworks located within the Equestrian Preserve of the Village of Wellington on all days of the year except for public displays supervised and conducted by a competent operator. The displays must be approved by the chiefs of the police and fire departments of Wellington and must not be hazardous to property or endanger any person. Written applications for permits must be made at least 15 days in advance of the date of the display. After permit approval, the sales, possession, use, and distribution of fireworks for the display must be lawful for the permitted purpose only. Permits are non-transferrable.

HB 1035 - Loxahatchee River Environmental Control District - Sponsored by Representative Roth - **UPDATE: The bill has been added to the House special order calendar.** The Loxahatchee River Environmental Control District (District) is an independent special district created in 1971 by a special act. The charter of the District was most recently codified in 2002. The District operates a sewer and wastewater system serving the Towns of Jupiter and Juno Beach, the Village of Tequesta, and unincorporated portions of southern Martin County and northern Palm Beach County. The bill provides for the codification of existing special acts concerning the District, makes conforming changes, and repeals the existing special acts governing the District. The bill passed out of all its committees and has been placed on second reading.

# MEMBER/STAFF INTRODUCTIONS

Every week the Delegation will highlight member offices that are working hard in Tallahassee for their residents. This week we highlight Senator Polsky's staff. We thank their staff for their hard work and efforts this legislative session.

## Introducing Senator Polsky's Tallahassee staff as well as a new team member.



Left-Right: John Piskadlo; Daphne Fernandez; David Siegel.

Last week, we bid goodbye to our district legislative aide Alexis Montalvo, who has joined FEA in Tallahassee. Alexis has been an instrumental part in the success of our district and has been by my side since the beginning. We thank her, and we wish her nothing but the best in her future career endeavors. With her departure, we are excited that David Siegel has joined our team and will be on the ground in Boca Raton to continue the support of our constituents in District 29. David is a 2019 University of Alabama political science graduate, and most recently worked in a communications role during the 2020 presidential primary season. We are thrilled to have David join our office during a critical time in the Senate and in the district, and we are all looking forward to working with him. David can be reached via our district office number at (561) 443-8170, or via email at [Siegel.David@flsenate.gov](mailto:Siegel.David@flsenate.gov).

- Senator Polsky

## IN AND AROUND THE CAPITOL

Powell Press. Video by Senator Powell



ICYMI: During the 5th week of the 2021 Legislative Session there was much to be heard and much to be debated. Subscribe to the Powell Press to stay up-to-date with what's going on in Tallahassee.



Representative Slosberg gives a legislative update for week 5.

# HOLOCAUST REMEMBRANCE DAY

Never Forget



On April 7, the Senate members held a moment of silence for Holocaust Remembrance Day lead by Senator Berman. SB 1164 sponsored by Senator Berman designates the week of April 4-11, 2021, as the “Days of Remembrance” and April 8, 2021, as “Holocaust Remembrance Day” in Florida, etc.



“The Holocaust is incomprehensible and will be even more so when the survivors are no longer with us. We all have a continued obligation to recognize that history and ensure the next generation bears witness, so that we can work towards the day when “never again” becomes our reality.”

# Remembering Congressman Alcee Hastings



Sadly this week, Palm Beach County lost an incredible advocate, Congressman Alcee Hastings. Congressman Hastings was part of the Palm Beach County federal delegation and frequently joined state officials in advocating for his constituency. His presence will be missed and we wish his family and friends the best moving forward. Thank you for your service Mr. Hastings, it was a pleasure working with you.

# Palm Beach County Legislative Delegation

Delegation Chair - Rep. David Silvers  
Delegation Vice-Chair - Rep. Mike Caruso

## **Senators**

Gayle Harrell - District 25  
Tina Polsky - District 29  
Bobby Powell, Jr. - District 30  
Lori Berman - District 31

## **Representatives**

Kelly Skidmore - District 81  
John Snyder - District 82  
Rick Roth - District 85  
Matt Willhite - District 86  
David Silvers - District 87  
Omari Hardy - District 88  
Mike Caruso - District 89  
Joseph "Joe" Casello - 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.*



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