

PBC Legislative Update



FEBRUARY 5, 2018

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Legislative Update — February 2018

FEDERAL ISSUES

This Week in Washington

By Becker & Poliakoff

Congress will work to extend funding for the government by Thursday in order to avoid another government shutdown. Republicans will likely bring up a measure to fund the government through the end of March.

THE HOUSE

The House will vote on bills to limit restrictions on fees paid in qualified mortgage transactions as well as to provide flexibility to restaurants in posting nutritional information on their menus.

The House will vote to relax a restriction on fees paid to lender-affiliated title companies in qualified mortgage transactions.

The House will also vote to provide more discretion to restaurants and other food establishments in how they display nutritional information on menus. The bill will direct the Food and Drug Administration to reissue its menu labeling rules.

On Monday, February 5th, Members of the Congressional Black Caucus are invited to speak on the floor about economic justice in the black community, including black unemployment and underemployment, the importance of policies like a living wage, paid sick leave, and expanded access to affordable childcare, and the need to protect funding for programs and agencies like the CDFI Fund and the Minority Business Development Agency.

The following House hearings will also take place:

- The Ways and Means Health Subcommittee will hold a hearing on how Medicare can prevent and treat opioid abuse.
- The Homeland Security Emergency Preparedness, Response and Communications Subcommittee will hold a hearing on publicly broadcast emergency alerts and warnings.

- The Oversight and Government Reform Committee will hold a hearing to mark up bills including legislation to establish standards for data reporting requirements for recipients of federal grants.

THE SENATE

Will continue consideration of President Trump's nominees.

The Senate will vote on the nomination of Andrei Iancu to be Undersecretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office.

Congress is expected this week to pass yet another short-term spending bill to avoid a government shutdown, prompting a bipartisan pair of senators to introduce a narrow bill on immigration aimed at ending the impasse that has hindered a two-year budget deal. Senator John McCain (R-AZ) and Senator Chris Coons (D-DE) plan to unveil a proposal that offers a path to citizenship for Dreamers and orders a comprehensive study to determine what border-security measures are needed.

The following Senate hearings will also take place:

- The Health, Education, Labor and Pensions Committee will hold a hearing to discuss the impact of the opioid crisis on children and families.
- The Energy and Natural Resources Committee will hold a hearing on energy infrastructure.
- The Health, Education, Labor and Pensions Committee will hold a hearing on reauthorizing the Higher Education Act.
- The Homeland Security and Governmental Affairs Committee will hold a hearing on reauthorizing the Homeland Security Department.

STATE ISSUES

CRC Update

By Florida Association of Counties

On Friday, January 26th, the Constitution Revision Commission Local Government Committee met to consider numerous proposals that would directly affect the county's ability to govern.

[Proposal 95](#) would create a constitutional prohibition against any county, municipality, or special district's regulation of any type of commerce, trade, or labor, unless such regulation operated exclusively within the respective entity's own boundaries in a manner not prohibited by law.

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County Commissioners**

Melissa McKinlay, Mayor

Mack Bernard, Vice Mayor

Hal Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

In committee, the amendment to Proposal 95 was debated and defeated. As a result, the Sponsor of the proposal, Senator Tom Lee, requested that Proposal 95 be temporarily postponed, allowing the measure to be brought back up to the CRC Local Government Committee Meeting this Friday, February 2.

[Proposal 26](#) would create an Office of Domestic Security and Counter-Terrorism within the Department of Law Enforcement. The current language grants the county sheriff authority for security of county-operated facilities, including courthouses. A pending amendment to the proposal would narrow the sheriff's authority to courthouses and court facilities. FAC opposes both the proposal and the amendment.

Proposal 26 was not heard last week because the sponsor of the proposal was unable to attend the committee meeting. It has been rescheduled for a hearing this Friday, February 2 at 9:00 am.

[Proposal 61](#) would require any proposed bill with a preemption be filed with the preemption portion considered on its own in a standalone bill. This process would prevent preemptions from being buried in large complex bills. Proposal 61 passed the committee and will now go to the CRC Legislative Committee on Friday, February 2.

Florida Legislative Session: Week 3

By County Staff, Corcoran & Johnston, Ericks Consulting

Monday

- **Senate Appropriations Subcommittee on Finance and Tax**

SB 324 requires that the collection of an impact fee be no earlier than the issuance of the building permit for the property that is subject to the fee. The bill also codifies the dual rational nexus test. Specifically, the bill requires that an impact fee be reasonably connected to, or have a rational nexus with:

- The need for additional capital facilities and the increased impact generated by the new residential or commercial construction; and
- The expenditures of the funds collected and the benefits accruing to the new residential or commercial construction.

Additionally, the local government must specifically earmark funds collected by the impact fees for use in acquiring capital facilities to benefit the new residents. Finally, the bill prohibits the use of impact fee revenues to pay existing debt or for prior approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction.

SB 324 reported favorable. The next committee of reference is Senate Appropriations.

SB 538 requires the State Board of Administration to divest any investment in stocks, securities, or other obligations of any institution or company domiciled in the U.S., or foreign subsidiary of a company domiciled in the U.S., doing business in or with the government of Venezuela, or with agencies or instrumentalities thereof, in violation of federal law. The bill prohibits a state agency from investing in any financial institution or company domiciled in the U.S., or any foreign subsidiary of a company domiciled in the U.S. which, directly or through a U.S. or foreign subsidiary, makes any loan, extends credit of any kind or character, advances funds in any manner, or purchases or trades any goods or services with the government of Venezuela, or any company doing business in or with the government of Venezuela, in violation of federal law.

SB 538 reported favorable. The next committee of reference is Senate Appropriations.

- **House Criminal Justice Subcommittee**

HB 39 removes statement of applicability relating to certain violations of carrying concealed weapon or firearm; reduces penalties applicable to person licensed to carry concealed weapon or firearm for first or second violation of specified provisions relating to openly carrying weapons; provides that person licensed to carry concealed weapon or firearm does not violate certain provisions if firearm is temporarily & openly displayed.

HB 39 reported favorable (9-4), now in Judiciary Committee

HB 361 creates s. 985.6885, F.S., authorizing the following persons to visit all facilities housing juveniles that are operated or overseen by DJJ or a county:

- The Governor;
- A Cabinet member;
- A member of the Legislature;
- A judge of a state court;
- A state attorney;
- A public defender; and
- A person authorized by the secretary of the department.

The bill allows visitation by these persons between 6:00 a.m. and 11:00 p.m., at their pleasure, and allows any visitation before 6:00 a.m. or after 11:00 p.m. pursuant to rules adopted by DJJ. The bill prohibits DJJ from unreasonably withholding permission to visit a state facility housing juveniles from a person who provides sufficient evidence that he or she is a bona fide reporter or writer.

HB 361 reported favorable (12-0), Committee Substitute Text (C1) filed.

- **House Energy and Utilities Subcommittee**

HB 971 prohibits certain service providers from charging customers for service that has been interrupted or not timely provided, as defined in the bill. Specifically, the bill:

- Prohibits a municipality or private company, as applicable, from charging a customer for garbage pickup service that is not provided on the normally scheduled pick-up date, unless the missed service is provided within 3 business days after the originally scheduled pick-up date.
- Prohibits a telecommunications company or a cable or video service provider from charging a customer for service that has been interrupted for longer than 24 consecutive hours, unless the interruption was caused by a negligent or willful act of the customer or as a result of damage on the customer's side of the service demarcation point that prevents the customer from taking service that is otherwise available.

HB 971 reported favorable (9-3) the next committee of reference is Commerce.

- **Health Quality Subcommittee**

HB 291 expands the CDDP by authorizing the donation and distribution of all prescription drugs and allowing licensed nursing home facilities with a closed drug delivery system to participate in the program. The bill changes the name of the CDDP to the Prescription Drug Donation Program to reflect these changes.

HB 291 reported favorable (13-0). The next committee of reference is Health & Human Services.

HB 683 requires the DOH to conduct a comprehensive study on the affordability, access, and delivery of dental care in Florida and submit a report of its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2018. The report must include policy proposals for improving affordability, access, and delivery of dental services in this state, and address implementation burdens and the sustainability of such proposals.

HB 683 reported favorable (9-6). Committee Substitute Text (C1) filed.

- **House Local, Federal & Veterans Affairs Subcommittee**

HB 79 The bill defines "de facto meeting" as the use of board or commission staff or third parties, acting as intermediaries, to facilitate a discussion of public business between or among board or commission members. The bill clarifies that de facto meetings are subject to the Sunshine Law.

- The bill specifies that members of the same board or commission may participate in fact-finding exercises or excursions to research public business, and may participate in meetings with a member of the Legislature, if:
 - The board or commission provides reasonable notice;
 - A vote, an official act, or an agreement regarding an action at a future meeting does not occur;
 - There is no discussion of "public business" that occurs; and
 - There are appropriate records, minutes, audio recordings, or video recordings made and retained as a public record. The bill also provides that, if there is a gathering of two or more board members where no official acts are taken and no public business is discussed, then no public notice or access is required.

HB 79 reported favorable (8-2). Now in Government Accountability.

HB 807 provides that an Metropolitan Planning Organization (MPO_ created after July 1, 2018 as a result of a combination or merger of two or more MPOs, must have at least five members

HB 807 reported favorable (11-0). Now in Government Accountability Committee.

HB 1151 The bill eliminates state and regional review of existing Developments of Regional Impact (DRIs), eliminates the Florida Quality Development (FQD) program, and transfers the responsibility for implementation of, and amendments to, DRI and FQD development orders to the local governments in which the developments are located.

HB 1151 reported favorable (11-0). Now in Commerce Committee.

HB 521 provides that the Legislature finds that uncontrolled growth of trees within rights-of-way owned or managed by the state, water management districts, water control districts, neighborhood improvement districts, independent special districts, or community development districts interferes with the operation and maintenance of flood protection and drainage infrastructure, including but not limited to canals, critical to the protection of the health, safety, and general welfare of the public. The bill provides that when the aforementioned governmental entities have a duty to maintain any right-of-way, no municipality, county, or other political subdivision of the state may prohibit, restrict, condition, or require a permit, fee, or mitigation for the trimming or removal of trees or vegetation to protect the public.

HB 521 reported favorable (11-1). Now in Government Accountability.

- **Senate Children, Families and Elder Affairs**

SB 1790 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 Baker 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.

SB 1790 reported favorable (4-0). Committee Substitute Text (C1) Filed.

- **Senate Commerce and Tourism**

SB 1714 specifies reporting, contractual, and accountability requirements for “economic development agencies” and “tourism promotion agencies” that engage in economic development and tourism promotion on behalf of local governmental entities. The bill imposes the following measures on economic development agencies:

- Requires board member financial and conflict of interest disclosures;
- Prohibits compensation for board members;

- Limits the amount of employee compensation from public funds to amount paid to the chief executive officer of the local government entity;
- Requires compliance with state per diem and travel expenses requirements;
- Specifies ethics provisions and gift prohibitions;
- Limits lodging expenses;
- Requires that all contracts contain certain information;
- Requires that contracts valued at \$250,000 or more be submitted to the board of the appropriate local government entity, and published on that entity's website;
- Requires the submittal of specified financial information to local governing boards; Requires the posting of specified contract, meeting, and financial information;
- Provides that any contract or agreement required by the bill are public records;
- Requires that agencies and the DEO maintain and provide online access to information;
- Provides that agencies that fail to comply with certain transparency and accountability requirements may not receive or expend public funds until becoming compliant;
- Requires Auditor General audits of such agencies, and provides authority for doing so; and
- Provides for a first-degree misdemeanor for willful noncompliance.

The bill imposes the following measures on tourism promotion agencies:

- Requires board members to disclose conflicts of interest;
- Provides that board members serve without compensation;
- Limits the amount of employee compensation from public funds to amount paid to the chief executive officer of the local government entity;
- Requires that agency contracts must contain certain specified information;
- Requires tourism promotion agencies to submit to the local governmental entity a yearly report detailing public and private financial data; and
- Provides that tourism promotion agencies that fail to comply with the transparency requirements may not receive or expend public funds until becoming compliant. The bill also enacts contract approval and additional reporting requirements for county governing boards that impose tourist development taxes, and modifies existing reporting requirements for entities that partner with VISIT FLORIDA or Enterprise Florida, Inc.

SB 1714 reported favorable (18-0), Committee Substitute Text (C1) Filed.

SB 1646 amends the Regional Rural Development Grants Program to:

- Set a maximum annual grant amount that an organization can receive at \$250,000 for each regional economic development organization, an increase of \$100,000 from current statute;
- Provide that grant funds must be matched by non-state sources at a rate of 25 percent of the state's contribution;
- Clarify that state grant funds may be used to build professional capacity of regional economic development organizations; and
- Allow regional economic development organizations to use these grants to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses within the rural

community it serves.

SB 1646 reported favorable (8-0), Committee Substitute Text Filed, Now in Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

- **Senate Criminal Justice**

SB 624 redefines the term “critical infrastructure facility”; authorizing the use of a drone if a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to facilitate the collection of evidence at a crime scene or traffic crash scene; authorizing the use of a drone by a local or state agency when used in the assessment of damage, flood state, wildfire, or land management, or the monitoring and collection of scientific or marketing data

SB 624 reported favorable, and moved to Senate Judiciary.

SB 1440 requires the Department of Law Enforcement to establish a continued employment training component relating to mental illness.

SB 1440 reported favorable (6-0), now in Appropriations Subcommittee on Criminal and Civil Justice.

- **Senate Education**

SB 856 authorizes the use of credits earned upon completion of a registered apprenticeship or pre-apprenticeship to satisfy specified high school graduation credit requirements.

SB 856 reported favorable (8-0), now in Appropriations Subcommittee on Pre-K-12 Education

SB 1388 creates a 20-member Task Force on Apprenticeship Expansion (task force) within the Department of Economic Opportunity (DEO); and specifies responsibilities, meeting requirements, and expiration of the task force. Specifically, the bill requires the task force to:

- Seek information from industry representatives and experts in the state’s targeted industries regarding unmet need.
- Examine and make legislative and administrative recommendations regarding diversity and access, articulation, delivery of information, and funding sources.
- Consider additional topics regarding federal laws and policies and best practices.
- Hold the first meeting of the task force no later than August 15, 2018. Additionally, the bill requires the Department of Economic Opportunity and the Department of Education to provide assistance to the task force.

SB 1388 reported favorable (9-0), now in Rules.

Tuesday

- **Civil Justice & Claims Subcommittee**

HB 507 provides exemption from public records requirements for direct business e-mail addresses of current justices & judges; provides for future legislative review & repeal of exemption

HB 507 reported favorable (11-4), now in Government Accountability Committee

HB 841 Revises provisions related to condominium associations including recordkeeping & financial reporting requirements, documents required to be posted online, bylaws, board term limits, rulemaking, owner responsibilities, board member recall & challenge requirements, conflicts of interest, fines & suspensions, classification as bulk assignee or buyer, board member requirements, voting procedures, common expenses, & election requirements; provides directors or officers delinquent in payments are deemed to have abandoned office.

HB 841 reported favorable (13-0), Committee Substitute Text (C2) Filed

- **House Children, Families & Seniors Subcommittee**

HB 505 aligns procedures for identification of prospective biological parents and their subsequent treatment within ch. 39, F.S., proceedings with ch. 63, F.S., to move children toward permanency more quickly. The bill:

- Adds questions to and rewords existing questions in the inquiry courts use to identify parents to elicit more precise responses;
- Provides a process, similar to ch. 63, F.S., for an unmarried biological father to assert his parental rights and become a legal father;
- Allows a court to proceed in a child's case if an identified unmarried biological father fails to assert his rights after being individually served with an explanation of how to assert his rights; and
- Specifies that a dependency court can make a formal determination of the child's paternity within the ch. 39, F.S., proceeding.

HB 505 reported favorable (10-0), Committee Substitute Text (C2) filed.

HB 947 implements the recommendations of the 2017 Task Force charged with addressing the issue of involuntary examination of minors:

- Encourage school districts to adopt a standardized suicide assessment tool that school-based mental health professionals would implement prior to initiation of an involuntary examination.
- Require Youth Mental Health First Aid or Crisis Intervention Team (CIT) training for school resource officers and other law enforcement officers who initiate involuntary examinations from schools.
- Increase the number of days, from the next working day to five working days that the receiving facility has to submit forms to DCF, to allow DCF to capture data on whether the minor was admitted, released, or a petition filed with the court.

HB 947 reported favorable (11-0), now in Health & Human Services Committee

HB 1129 revises the definitions of child care and child care facilities, and removes the statutory requirement that DCF distinguish between child care programs for

school-age children requiring licensure and after-school programs that do not need to be licensed; the bill specifies what constitutes after-school programs that must be licensed as a child care facility.

HB 1129 reported favorable (7-6), Committee Substitute Text (C1) Filed.

- **House Oversight, Transparency & Administration Subcommittee**

HB 227 removes certain limitations relating to workers' compensation benefits for first responders; provides first responders are entitled to workers' compensation benefits for mental or nervous injuries regardless of whether such injuries are accompanied by physical injuries.

HB 227 reported favorable (12-0), Committee Substitute Text (C1) Filed.

HB 1151 Repeals, creates, and revises provisions for statewide guidelines, standards, & requirements for developments of regional impact relating to authorizations to develop; applications for approval of development; concurrent plan amendments; preapplication procedures; preliminary development agreements; conceptual agency reviews; local notice & regional reports; developments inside & outside areas of critical state concern; local government development orders; construction of mitigation facilities; impact fee & exaction credits; comprehensive development applications & master plan development orders; abandonment of developments; dense urban land area exemptions; Florida Quality Developments & Quality Developments Review Board; Administration Commission guidelines & standards; state land planning agency agreements; Florida Land & Water Adjudicatory Commission requirements; local government permit approvals & extensions, reviews & certifications; uniform reviews of developments by state land planning agency & regional planning agencies.

HB 151 reported favorable, Committee Substitute Text (C1) Filed

HB 791 creates a Red Tape Reduction Advisory Council (Council) within the Executive Office of the Governor. The Council is required to annually review the Florida Administrative Code (FAC) to determine whether any rules are duplicative, obsolete, especially burdensome to business, or disproportionately affect businesses with fewer than 100 employees or revenue below \$5 million. If the Council finds a rule that meets one or more of these criteria and it can be repealed or amended with minimal impact on public health, safety, and welfare, the Council must recommend repealing or amending the rule. The Council must provide an annual report of its rule recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, and to Joint Administrative Procedures Committee (JAPC) for the purposes of publishing the report in the FAC.

HB 791 reported favorable (7-3), Now in Appropriations.

HB 1109 requires the system of communications and warning established by the Division of Emergency Management, which is operated under the State Watch Office (SWO), that warns the state's population and emergency management agencies of a developing emergency situation to have a qualified interpreter in any televised broadcast of a developing weather emergency. The term "qualified interpreter" is defined to mean a person who is certified by the National Registry of Interpreters for the Deaf or the Florida Registry of Interpreters for the Deaf.

HB 1109 reported favorable (10-0), Now in Appropriations.

HB 633 Creates Florida Smart City Challenge Grant Program within DOT; provides program goals & grant eligibility requirements; requires DOT to issue request for proposals; provides proposal requirements, grant award requirements, & requirements for use of grant funds; requires reports; requires administrative support by DOT.

HB 633 reported favorable, now in Transportation & Tourism Appropriations Subcommittee

HB 807 Provides voting membership requirements for certain metropolitan planning organizations designated on or after specified date.

HB 807 reported favorable, now in Local, Federal & Veterans Affairs Subcommittee

HB 963 Establishes maximum rate that local governments may charge to immobilize vehicles or vessels; defines "immobilize"; prohibits local governments from enacting certain ordinances or rules that impose fees or charges on specified entities; provides exceptions; prohibits local governments from imposing charges on certain entities related to vehicles or vessels; provides exception; authorizes certain persons to place liens on vehicles or vessels to recover specified fees or ch.

HB 963 reported favorable, now in Government Accountability Committee

HB 1437 requires participants in an adult or youth work experience activity under either the Division of Blind Services or the division be deemed an employee of the state for the purposes of workers' compensation coverage

HB 1437 reported favorable (10-0), now in Government Operations & Technology Appropriations Subcommittee.

- **House Tourism & Gaming Control Subcommittee**

TGC1 The bill ratifies and approves a 2018 Gaming Compact between the Seminole Tribe of Florida (Tribe) and the State of Florida (State), and authorizes the Governor to execute the 2018 Compact. Under its terms, the 2018 Compact extends for 20 years both the Tribe's current exclusive authorization to conduct banked games statewide and the Tribe's current exclusive authorization to conduct slot machine gaming outside of Miami-Dade and Broward Counties. In exchange, the Tribe will make revenue sharing payments totaling at least \$3 billion to the State during the first seven years of the 2018 Compact. The Tribe may stop or reduce revenue sharing if

the State authorizes specified gaming in violation of the exclusivity afforded by the 2018 Compact.

TGC1 submitted as committee bill by Tourism & Gaming Control (9-6), Committee Bill Filed as HB 7067.

HB 1367 The bill adds language to the definition of “slot machine or device” in the gambling statutes to more clearly prohibit pre-reveal machines and games.

HB 1367 reported favorable (9-6), Committee Text (C1) Filed, Now in Commerce.

- **Senate Community Affairs**

SB 1400 preempting certain regulation and control of vacation rentals to the state; specifying authority of the Division of Hotels and Restaurants over regulation of vacation rentals; requiring vacation rentals to obtain a license; specifying that vacation rentals are to be treated as transient rentals regarding certain landlord and tenant provisions; requiring the division to inspect vacation rentals when necessary to respond to emergencies and epidemiological conditions

SB 1400 reported favorable (4-2). SB 1400 has been combined with SB 1640, and Committee Substitute Text (C1) has been filed. Now in Regulated Industries.

SB 1328 creates the Hurricane Housing Recovery Program (HHRP) and the Recovery Rental Loan Program (RRLP) to expedite the creation of additional affordable housing in response to the needs created by the recent hurricanes. For the 2018-2019 fiscal year, an estimated \$64 million from the Local Government Housing Trust Fund and the State Housing Trust Fund is appropriated to the Florida Housing Finance Corporation for affordable housing hurricane recovery programs. Florida Housing Finance Corporation will use the appropriation to fund the HHRP and RRLP.

The bill prohibits a county or municipality from charging impact fees and mobility fees for the development of affordable housing for a 5-year period beginning July 1, 2018. The bill also provides for an expedited local permit approval process for affordable housing by reducing the time a local government entity has to approve or deny permit applications from 120 days to 60 days.

SB 1328 reported favorable (6-0), now in Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

SB 1426 expands the scope of the Legislative Auditing Committee review to include compliance with local government fiscal transparency requirements; creating the "Local Government Fiscal Transparency Act"; requiring local governments to post certain voting record information on their websites.

SB 1426 reported favorable (6-0), now in Appropriations.

- **Senate Governmental Oversight and Accountability**

SB 170 makes the following changes to the Rural Economic Development Initiative (REDI):

- Removes the statutory limit of three designated rural areas of opportunity allowing for an unlimited number of designations by the Governor;
- Expands the scope of the legislative intent to include improved quality of life through improved infrastructure, education, and access to health care;
- Expands the definition and designation criteria for a rural area of opportunity (RAO);
- Reduces the number of specified agencies and organizations that are required to designate REDI representatives;
- Clarifies which individuals from specified agencies and organizations must be designated as REDI representatives;
- Provides for the appointment of five additional members from the private sector:
 - o Three of the private sector members are to be appointed by the executive director of the Department of Economic Opportunity (DEO), one appointed by the President of the Senate, and one appointed by the Speaker of the House of Representatives;
- Authorizes the creation of ad hoc committees and provides guidance for the organization of ad hoc committees;
- Updates the annual reporting requirements; and
- Makes conforming changes to address cross-references in numerous sections of the Florida Statutes.

SB 170 reported favorable (5-0), Now in Rules.

SB 900 grants certain benefits to a firefighter upon receiving a diagnosis of cancer if certain conditions are met; requiring an employer to make certain disability payments to a firefighter in the event of a total and permanent disability; providing for death benefits to a firefighter's beneficiary if a firefighter died as a result of cancer or cancer treatments; specifying that any costs associated with benefits granted by the act are to be borne by the employer

SB 900 reported favorable, Committee Substitute Text (C1) Filed, Now in Community Affairs.

SB 906 provides a public records exemption for certain building plans, blueprints, and other construction documents received by an agency. Current law makes exempt from public records disclosure building plans, blueprints, schematic drawings, and diagrams of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, and a hotel or motel development. The bill applies the existing public records exemption to building plans and other construction documents provided by a health care facility to, in this case, the Agency for Health Care Administration (AHCA).

SB 906 reported favorable (6-0). Now in Rules.

- **Senate Health Policy**

SB 562 authorizes municipalities and counties to further restrict smoking within the boundaries of certain public parks and designated facilities.

SB 562 reported favorable (8-0). Now in Rules.

- **Senate Ethics and Elections**

SB 194 proposes amendments to the State Constitution to limit the terms of office for a member of a district school board.

SB 194 reported favorable (4-2). Now in Education.

SB 1628 revises requirements for rules governing the registration of lobbyists who lobby the Legislature; creating the Task Force on the Prevention of Sexual Harassment and Misconduct; prohibiting public officers, qualified candidates, agency employees, and lobbyists from sexually harassing any person; prohibiting an individual from offering or providing sexual favors, or offering or engaging in sexual conduct, in an effort to influence a public officer or employee or obtain his or her goodwill; authorizing a designated agency official to refer complaints alleging sexual harassment or sexual misconduct to the Commission on Ethics.

SB 194 reported favorable (8-0). Committee Substitute Text (C1) Filed. Now in Government Oversight and Accountability.

- **Senate Judiciary**

SB 1348 Authorizing adjacent lands located within the county or municipality which a petitioner anticipates adding to the boundaries of a new community development district to also be identified in a petition to establish the new district under certain circumstances; requiring the county or municipality to process the addition of the parcel to the district as an amendment to the ordinance that establishes the district once the petition is determined sufficient and complete, etc.

SB 1348 reported favorable (10-0), Committee Substitute Text (C1) Filed, Now in Rules.

SB 1580 creates the Marriage Education Committee within the Department of Children and Families; requiring the clerk of each circuit court to post an electronic copy of the guide on the court's website and to distribute printed copies of the guide if they are made available; prohibiting a county court judge or clerk of the circuit court from issuing a marriage license unless he or she is first presented with a statement verifying that both parties have obtained and read the guide or have viewed an electronic presentation containing certain information

SB 1580 reported favorable (9-1), Now in Children, Families, and Elder Affairs.

SB 904 revises authority of special process servers; revising requirements for service on limited liability companies; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; revising authority of certified process servers.

SB 904 reported favorable (10-0), Committee Substitute Text (C1) Filed, Now in Commerce and Tourism.

- **House Health Innovation Subcommittee**

HB 217 Prohibit health insurers & health maintenance organizations from retroactively denying claim.

HB 217 reported favorable (10-2), Committee Substitute Text (C1) Filed.

- **House Natural Resources & Public Lands Subcommittee**

HB 837 establishes blue star collection system assessment & maintenance program within DEP for domestic wastewater utilities; provides that certified utilities are presumed to comply with state water quality standards; directs DEP to issue certain permits to certified utilities; authorizes DEP to reduce penalty amounts; provides that certain utilities are eligible to participate in Clean Water State Revolving Fund Program & to receive Small Community Sewer Construction grants.

HB 837 reported favorable (11-0), Committee Substitute Text (C1) Filed.

SB 746 Requiring that doorstep refuse and recycling collection containers be allowed in exit corridors of certain apartment occupancies under certain circumstances; authorizing authorities having jurisdiction to approve certain alternative containers and storage arrangements, etc.

SB 746 reported favorable, will move to Regulated Industries

- **Senate Community Affairs**

SB 1026 Requiring counties to develop a plan for implementing a text-to-911 system and have a system to receive E911 text messages by a specified date, etc.

SB 1026 reported favorable, now in Governmental Oversight and Accountability

SB 858 Exempting the State of Florida and its political subdivisions from daylight saving time; requiring that the state and all its political subdivisions observe standard time, etc.

SB 858 reported favorable, Committee Substitute Text (C1) Filed

SB 1348 Authorizing adjacent lands located within the county or municipality which a petitioner anticipates adding to the boundaries of a new community development district to also be identified in a petition to establish the new district under certain circumstances; requiring the county or municipality to process the addition of the parcel to the district as an amendment to the ordinance that establishes the district once the petition is determined sufficient and complete, etc.

SB 1348 reported favorable, now in Judiciary

SB 1244 Revising the statewide guidelines and standards for developments of regional impact; specifying that amendments to a development order for an approved development may not alter the dates before which a development would be subject to downzoning, unit density reduction, or intensity reduction, except under certain conditions; requiring local governments to file a notice of abandonment under certain conditions, etc.

SB 1244 reported favorable, Committee Substitute Text (C1) Filed

SB 1632 Expanding the application of certain provisions related to ordinances and rules imposing price controls to include the towing or immobilization of vessels; prohibiting counties and municipalities from imposing charges, costs, expenses, fines, fees, or penalties on registered owners, other legally authorized persons in control, or lienholders of vehicles or vessels under certain conditions, etc.

SB 1632 reported favorable, now in Transportation

SB 572 Designating the "Florida High-Speed Passenger Rail Safety Act"; providing powers and duties of the Florida Department of Transportation; requiring the Florida Division of Emergency Management to offer, under certain circumstances, the local communities and local emergency services located along the rail corridor training specifically designed to help them respond to an accident involving rail passengers or hazardous materials; requiring a railroad company operating a high-speed passenger rail system to be solely responsible for certain maintenance, improvement, and upgrade costs, etc.

SB 572 workshopped by Community Affairs

- **Senate Governmental Oversight and Accountability**

SB 806 Revising the circumstances when a water management district must publish its intention to sell surplus lands; revising the process for selling certain lower valued surplus lands, etc.

SB 806 reported favorable, now in Rules

SB 820 Prohibiting certain actions to influence a fire safety inspector to violate the Florida Fire Prevention Code, other rules of the State Fire Marshal, or ch. 633, F.S., etc.

SB 820 reported favorable, Committee Substitute Text (C1) Filed

SB 1240 Authorizing certain employees to elect to participate in the Florida Retirement System during a specified period; revising limitations on the maximum length of participation in the Deferred Retirement Option Program for certain instructional personnel and administrative personnel, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law,

SB 1240 reported favorable, Committee Substitute Text (C1) Filed

- **Senate Health Policy**

SB 112 Authorizing physician assistants and advanced registered nurse practitioners to execute a certificate under certain conditions stating that they have examined a person and find the person appears to meet the criteria for involuntary examination, etc.

SB 112 reported favorable, now in Children, Families, and Elder Affairs

Wednesday

- **House Criminal Justice Subcommittee**

HB 581 Authorizes law enforcement agency to issue & serve subpoena in investigation of specified sexual offenses; specifies requirements regarding nondisclosure of information; provides for judicial review of nondisclosure requirements.

HB 581 reported favorable, will move to Justice Appropriations Subcommittee

HB 1249 Requires law enforcement adhere to specified requirements to obtain content of electronic communications; revises provisions concerning when judge may authorize interception; prohibits unlawful access to communications stored in specified devices; requires law enforcement obtain warrant to acquire certain location information; provides procedures for such warrants; provides limited exceptions in certain circumstances.

HB 1249 reported favorable, will move to Justice Appropriations Subcommittee

- **House Energy & Utilities Subcommittee**

HB 971 Prohibits municipality or private company from charging for garbage pick-up services under certain circumstances; requires municipality or private company to issue credit or refund; requires payment of fine if credit or refund is not issued within specified period; prohibits telecommunications companies and cable & video service providers from charging for certain service interruptions; requires such entities to issue credit or refund; requires regulatory entity to impose fine if credit or refund is not given within specified period.

HB 971 workshopped by Energy & Utilities Subcommittee

- **House Health Quality Subcommittee**

HB 579 Cites act as "Florida Infectious Disease Elimination Act (IDEA)"; authorizes DOH to establish sterile needle & syringe exchange pilot programs upon request from eligible entities, rather than single program established in Miami-Dade County.

HB 579 reported favorable, will move to Health Care Appropriations Subcommittee

- **House Local, Federal & Veterans Affairs Subcommittee**

HB 901 Palm Beach County: Transfers certain land from Acme Improvement District to Pine Tree Water Control District.

HB 901 reported favorable, will move to Natural Resources & Public Lands Subcommittee

HB 1019 Requires counties, municipalities, special districts, water management districts, & district school boards to submit certain budget & financial information to specified entities; requires certain budget information to remain posted on such entity's official website for specified period of time; revises reporting deadlines, with exception; provides penalties; requires Office of Economic & Demographic Research to develop forms for reporting certain budget information.

HB 1019 reported favorable, will move to Appropriations Committee.

HB 1093 Loxahatchee Groves Water Control District, Palm Beach County: Provides for district to become dependent special district of town; provides boundaries; dissolves independent special district; requires referendum.

HB 1093 reported favorable (11-0), now in Government Accountability.

HB 6041 revises provisions governing Division of Historical Resources responsibilities in issuing permits for survey, excavation, & salvage activities on certain state-owned lands; repeals provisions relating to abrogation of offensive & derogatory geographic place names & division's authority to implement program for certain artifacts

HB 6041 reported favorable (12-0), now in Government Accountability.

HB 879 adds wood, asphalt, and concrete materials to the list of materials that are "recovered materials." "Wood" would not include wood treated or coated with chemicals to resist decomposition or vegetative matter resulting from landscaping maintenance or land clearing operations that includes tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps. This change would exempt wood, asphalt, and concrete materials and facilities that store, process, resale, or reuse them from solid waste regulations if they meet the criteria in statute. Thus, facilities storing, processing, reselling, or reusing these materials would not have to meet the criteria, if applicable, for construction and demolition debris facilities. These facilities could only engage in the storage, processing, resale, or reuse of recovered materials to utilize the exemption. Further, this change would prohibit local governments from restricting the sale or conveyance of these recovered materials.

HB 879 reported favorable (11-1), Committee Substitute Text (C1) Filed.

Wednesday

- **Senate Session**

The following bills were considered on Third Reading:

- SB 370 requires a specified annual appropriation to the Florida Forever Trust Fund; prohibiting moneys from the Land Acquisition Trust Fund from being used for specified costs
- SB 192 specifies conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions
- SB 140 provides that a marriage license may not be issued to a person under the age of 18 years; requiring parties to a marriage to file a written and signed affidavit with the county court judge or clerk of the circuit court before the judge or clerk may issue a marriage license; requiring each party to a marriage to provide his or her social security number or an alien registration number for purposes of child support enforcement; clarifying that a county court judge or clerk of a circuit court commits a misdemeanor if he or she issues a blank marriage license or if he or she issues a marriage license without obtaining the ages and identification numbers of the parties
- SB 118 authorizes a member of the State Legislature to visit any district school in his or her legislative district
- SB 568 revises the definition of the term “telephonic sales call” to include voicemail transmissions; prohibiting the transmission of voicemails to specified persons who communicate to a telephone solicitor that they would not like to receive certain voicemail solicitations or requests for donations

All bills passed on third reading, engrossed text filed, and in House Messages.

- **Senate Appropriations**

SB 2500 and **SB 2502** – The Appropriations and Implementation bill passed and the Committee Bill was filed and placed on the calendar, on 2nd reading, for 02/07/2018.

SB 7014 revises required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System.

SB 7014 reported favorable, and placed on Special Order Calendar on Second Reading.

SB 484 authorizes each county to create a supervised bond release program; providing an exception to a county that has already established and implemented a supervised bond program that utilizes a risk assessment instrument; authorizing the county to contract with the Department of Corrections to develop or modify a risk assessment instrument if such instrument meets certain requirements; requiring each county that establishes a supervised bond program to submit a report annually by a certain date to the Office of Program Policy Analysis and Government Accountability (OPPAGA); authorizing a court to sentence offenders to a county jail for up to 24 months under certain circumstances for offenses committed after a specified date; requiring sentencing conditions; authorizing the department to extend the limits of confinement to allow an inmate to participate in supervised community release, subject to certain requirements, as prescribed by the department by rule.

SB 484 reported favorable (18-0), Committee Substitute Text (C2) Filed

SB 168 requires the Fish and Wildlife Conservation Commission to establish a pilot program for the eradication of priority invasive species; specifying procedures for the capture and disposal of animals that belong to priority invasive species; requiring animals that belong to certain nonnative species to be implanted with a passive integrated transponder tag before sale, resale, or being offered for sale by a pet dealer. The Appropriation is \$600,000.

SB 168 reported favorable (19-0), and is placed on the Calendar on 2nd Reading.

SB 174 revises the beach nourishment and inlet management project funding criteria and requires the Department of Environmental Protection (DEP) to adopt by rule a scoring system, composed of four tiers, to determine annual funding priorities. The bill requires projects considered for funding under the inlet management program be considered separate and apart from projects reviewed and prioritized under the tiered structure for beach nourishment projects.

SB 174 reported favorable (20-0), Committee Substitute Text (C1) filed.

SB 290 requires the application form for a motor vehicle registration to include an option allowing an applicant who is deaf or hard of hearing to voluntarily indicate that he or she is deaf or hard of hearing. Such information must be included in the Florida Crime Information Center (FCIC) system and the Driver and Vehicle Information Database.

SB 290 reported favorable (20-0), Committee Substitute Text (C1) filed.

SB 800 is the “Florida Infectious Disease Elimination Act (IDEA)”; authorizing the Department of Health to establish sterile needle and syringe exchange pilot programs upon request from eligible entities, rather than a single program established in Miami-Dade County.

SB 800 reported favorable (18-0), Placed on Calendar, on 2nd Reading.

SB 1130 re-creates, without modification, the Land Acquisition Trust Fund within the Department of State and repeals the scheduled termination of the trust fund. The bill has no impact on state or local funds.

SB 1130 reported favorable (18-0), Placed on Calendar, on 2nd Reading.

- **House Session**

HB 83 requires certain notices to include agency website address for specified purpose; requires agency to prepare statement of estimated regulatory costs before adopting or amending rule other than emergency rule; requires agency to prepare statement of estimated regulatory costs before repealing rule in certain circumstances; requires DOS to include on Florida Administrative Register website agency website addresses where statements of estimated regulatory costs can be viewed.

HB 721 requires jails to provide medical information pertaining to defendants who have been adjudicated incompetent to proceed or adjudicated not guilty by reason of

insanity & committed to DCF; requires continued administration of psychotropic medication to certain defendants when discharged & transferred to jails under certain conditions; specifies final authority regarding administration of such medication; removes requirement that DCF develop certification process by rule for community substance abuse prevention coalitions.

HB 55 requires such procedures to allow the processing fees to be paid or transmitted by electronic means, including, but not limited to, debit cards, credit cards, or electronic funds transfers. The bill also authorizes a licensee to request DLE to conduct a criminal history check via electronic means other than a telephone call.

HB 529 requires specified containers be allowed in exit corridors of certain apartment occupancies under certain circumstances; authorizes authorities having jurisdiction to approve alternative containers; requires such authorities to allow phase-in period to comply; provides for future repeal.

HB 85 allows the Department of State to become a member of a nongovernmental entity whose membership is composed solely of election officials of state governments and the District of Columbia for the purpose of sharing and exchanging information to maintain the statewide voter registration system.

HB 87 is linked to the passage of HB 85, and creates a public record exemption for information received by the Department, pursuant to its membership in a nongovernmental entity, from another state or the District of Columbia that is confidential or exempt pursuant to the laws of that jurisdiction.

HB 317 provides that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election.

HB 533 Authorizes certain insurers to refuse to insure or continue to insure applicant or insured for failing to purchase certain noninsurance motor vehicle services.

HB 7029 Current law provides that a criminal history record related to human trafficking that is ordered expunged but that is retained by FDLE is confidential and exempt from public record requirements. Such records must be made available to criminal justice agencies for their respective criminal justice purposes; to any governmental agency that is authorized by state or federal law to determine eligibility to purchase or possess a firearm or to carry a concealed firearm for use in the course of such agency's official duties; and upon order of a court of competent jurisdiction. The bill reenacts the public record exemption, which will repeal on October 2, 2018, if this bill does not become law.

All bills were read a second and third time, they call passed on Third Reading.

Thursday

- **House Judiciary Committee**

HB 335 provides requirements for issuance of marriage license to persons under age of 18 years but at least 16 years of age; revises circumstances in which parental

consent is not required; provides that persons under age of 16 years may not be issued marriage license.

HB 335 reported favorable (17-2), Committee Substitute Text (C1) Filed.

HB 617 authorizes certain parcel owners of a community not subject to HOA to use specified procedures to revive certain covenants or restrictions; revises interests & rights protected by filing for record within specified timeframe; revises & provides provisions relating to covenants and restrictions, including extinguishment, validity of notice, length of time certain covenants and restrictions are preserved, filing of notices, notice content requirements, requirements of property associations, & validity & enforceability.

HB 617 reported favorable (18-0), and is placed on Calendar, on 2nd Reading.

- **House Health and Human Services**

HB 443 requires nursing home facilities to provide access to or copies of resident's medical records under certain conditions & within specified timeframe; provides notice requirements regarding relocation or termination of residency from ALF; requires ALF to provide current contact information to resident & State Long-Term Care Ombudsman Program; requires ALF location information to be current & reported to agency for posting on consumer information website.

HB 443 reported favorable (19-0), Committee Substitute Text (C2) Filed.

HB 597 provides that designated facility owned or operated by public health trust & located within municipal boundaries is under exclusive jurisdiction of county creating public health trust; eliminates state licensure requirements for clinical laboratories; requires birth center to be federally certified & meet specified requirements to perform certain laboratory tests.

HB 597 reported favorable (12-6)

HB 673 requires licensed physicians, certified nurse midwives, or licensed midwives to report an adverse incident & medical summary of events to DOH within specified timeframe; requires department to review adverse incident reports & determine if conduct occurred that is subject to disciplinary action; requires appropriate regulatory board or department to take disciplinary action; requires department to adopt rules; requires department to develop form to be used for reporting of adverse incidents.

HB 673 reported favorable (18-0), Committee Substitute Text (C1) Filed.

- **House Commerce Committee**

HB 315 revises definition of term "telephonic sales call" to include voicemail transmissions; defines "voicemail transmissions"; prohibits voicemail transmissions to specified persons; provides requirements for certain telephone numbers used by solicitors.

HB 315 reported favorable (24-0), Committee Substitute Text (C2) Filed.

HB 553 revises, creates, & repeals various provisions relating to structures used in citrus production; oyster harvesting licenses; pesticide registration fees; Class "K" & concealed firearm licenses; charitable & sponsor sales promotions & solicitations; water vending machines; telephone solicitations; antifreeze & brake fluid brands; liquefied petroleum business licenses; commercial weights & measures; agricultural commodity marketing; seed labeling, sale, & solicitation; Florida Forest Service; & government impostor & deceptive advertisements.

HB 553 reported favorable (21-3).

HB 585 expands the permissible uses of tourist development tax revenues by authorizing counties to use such revenues in connection with building or improving public facilities within the boundaries of the county or subcounty special taxing district, provided that the expenditure is deemed necessary to increase tourist-related business activities by the county tourist development council.

HB 585 reported favorable (18-6).

HB 1011 the bill revises current notice on Home Owner's insurance regarding Flood Insurance to include a statement on Floods being unrecoverable, even if caused by Hurricane force winds and rain.

HB 1011 reported favorable (24-0). Committee Substitute Text (C2) Filed.

- **House Government Accountability Committee**

HB 33 changes current enforcement of the ban from a secondary offense to a primary offense, which will allow a law enforcement officer to stop a vehicle solely for texting while driving. The bill does not change the existing penalties nor does it create new penalties. It also maintains the current exceptions to the texting ban and maintains that the texting ban does not apply to a stationary motor vehicle. The bill 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 his or her wireless communications device. Additionally, the bill prohibits a law enforcement officer from accessing the wireless communications device without a warrant, confiscating the device while waiting for the issuance of a warrant, or using coercion or other improper method to convince the operator to provide access to such device without a warrant. The bill requires consent to be unequivocal and voluntary.

HB 33 reported favorable (20-0). Committee Substitute Text (C2) Filed.

HB 155 This 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. As such, if the bill passes, these animals will remain designated state symbols. In addition, the bill designates the Florida Cracker Cattle as the official state heritage cattle breed.

HB 155 reported favorable (19-0). Placed on Calendar, on 2nd Reading.

HB 725 requires governing bodies of counties & municipalities to post their permit & inspection fee schedules & building permit & inspection utilization reports on their websites; requires governing bodies of local governments to post their building permit & inspection utilization reports on their websites by specified date; provides requirements for such governing bodies; provides reporting requirements.

HB 725 reported favorable (19-0). Committee Substitute Text (C3) Filed.

HB 1113 Palm Beach County Housing Authority: Provides exceptions to general law; provides that governing body of Palm Beach County may appoint two additional commissioners to housing authority & remove or suspend same.

HB 1113 reported favorable (19-0). Placed on Calendar, on 2nd Reading.

- **Public Integrity & Ethics Committee**

HB 7007 repeals provisions relating to state, state university, & community college employee lobbyists; prohibits certain public service announcements; prohibits public officer/agency employee from soliciting specified employment/contractual relationships; authorizes Commission on Ethics to investigate certain disclosures; prohibits certain compensated representation for specified period following vacation of office; deletes provision prohibiting former legislators from acting as lobbyists before certain entities & persons for specified period following vacation of office; prohibits certain officers & employees from soliciting employment/contractual relationships from or negotiating same with certain employers; requires lobbyist to electronically register with commission; revises lobbyist registration, compensation report, principal designation cancellation, & investigation requirements.

HB 7007 reported favorable (16-0). Committee Substitute Text (C1) Filed.

- **Senate Session**

SB 222 Specifying conditions under which members of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions, etc.

SB 232 creates the Southeast Florida Coral Reef Ecosystem Conservation Area. The conservation area consists of the sovereignty submerged lands and state waters offshore of Broward, Martin, Miami-Dade, and Palm Beach Counties from the St. Lucie Inlet to the northern boundary of the Biscayne National Park.

These bills were read on 2nd reading and substituted for their House Counterparts (HB 6021 and HB 53)

