The Journal OF THE House of Representatives

Number 36 **Friday, April 26, 2013**

The House was called to order by the Speaker at 10:30 a.m.

Prayer

The following prayer was offered by the Reverend William Gunter of Redeemer Community Church in New Port Richey, upon invitation of Rep. Corcoran:

Let's pray. Our God and Father, we thank You for another day, for granting us our lives, our liberty, and our happiness. I pray this morning that You would grant each member of this Chamber peace and quiet discernment to work for the common solutions based on principle and conviction and righteousness. Give them an abundance of wisdom today, and knowledge and understanding that they might know best how to proceed in the work they have before them. Give them the courage to act once they have discerned where wisdom has led. And may all that is done this day be for Your greater honor and Your glory. And we ask these things in the name and through the merits of Jesus Christ, thy Son and Savior. Amen.

The following members were recorded present:

Session Vote Sequence: 281

Speaker Weatherford in the Chair.

Adkins	Eagle	Metz	Roberson, K.
Ahern	Edwards	Moraitis	Rodrigues, R.
Albritton	Fasano	Moskowitz	Rodríguez, J.
Antone	Fitzenhagen	Nelson	Rogers
Baxley	Fresen	Nuñez	Rooney
Berman	Fullwood	Oliva	Rouson
Beshears	Gaetz	O'Toole	Santiago
Bileca	Gibbons	Pafford	Saunders
Boyd	Gonzalez	Passidomo	Schenck
Bracy	Goodson	Patronis	Schwartz
Brodeur	Grant	Perry	Slosberg
Broxson	Hager	Peters	Smith
Caldwell	Harrell	Pigman	Spano
Campbell	Holder	Pilon	Stafford
Castor Dentel	Hood	Porter	Stark
Clarke-Reed	Hooper	Powell	Steube
Clelland	Hudson	Precourt	Stewart
Coley	Hutson	Pritchett	Stone
Combee	Ingram	Raburn	Taylor
Corcoran	Jones, M.	Rader	Thurston
Crisafulli	Jones, S.	Rangel	Tobia
Cruz	La Rosa	Raschein	Torres
Cummings	Lee	Raulerson	Trujillo
Danish	Magar	Ray	Van Zant
Davis	Mayfield	Reed	Waldman
Diaz, J.	McBurney	Rehwinkel Vasilinda	Watson, B.
Diaz, M.	McGhee	Renuart	Watson, C.
Dudley	McKeel	Richardson	Weatherford
Williams, A.	Workman	Zimmermann	
Wood	Young		

(A list of excused members appears at the end of the *Journal.*)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Anna Stewart of Lynn Haven at the invitation of Rep. Patronis; Emily Wetherell of Tallahassee at the invitation of Rep. A. Williams; and Melissa Sims of Tallahassee at the invitation of Rep. A. Williams.

House Physician

The Speaker introduced Dr. Ava Phoenix of Jacksonville, who served in the Clinic today upon invitation of Rep. M. Jones.

Correction of the *Journal*

The *Journal* of April 25, 2013 was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Will Weatherford April 24, 2013
Speaker, House of Representatives

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Friday, April 26, 2013. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Expedited Local Bill Calendar:

HB 855 - Rooney
South Indian River Water Control District, Palm Beach County

HB 949 - Roberson, K.
Charlotte County

CS/HB 977 - Local & Federal Affairs Committee, Harrell
St. Lucie County Mosquito Control District, St. Lucie County

HB 979 - Mayfield
Fort Pierce Farms Water Control District, St. Lucie County

Indices appear at the end of the *Journal*

CS/HB 981 - Local & Federal Affairs Committee, Mayfield
North St. Lucie River Water Control District, St. Lucie County

CS/HB 1013 - Local & Federal Affairs Committee, Workman
Technological Research & Development Authority, Brevard County

HB 1027 - Waldman
Broward County Education, Research, and Training Authority, Broward County

CS/HB 1069 - Local & Federal Affairs Committee, Ingram
Emerald Coast Utilities Authority, Escambia County

CS/HB 1171 - Local & Federal Affairs Committee, Harrell
St. Lucie and Martin Counties

HB 1271 - Hudson
Central County Water Control District, Hendry County

CS/HB 1281 - Local & Federal Affairs Committee, Caldwell
East County Water Control District, Hendry & Lee Counties

HB 1283 - Adkins
Nassau County

HB 1287 - La Rosa
Tohopekaliga Water Authority, Osceola County

CS/HB 1321 - Local & Federal Affairs Committee, Raschein
Florida Keys Aqueduct Authority, Monroe County

HB 1367 - Young
Tampa Port Authority, Hillsborough County

CS/HB 1403 - Local & Federal Affairs Committee, Raschein
Key Largo Wastewater Treatment District, Monroe County

CS/HB 1411 - Local & Federal Affairs Committee, Hooper
Pinellas County

HB 4037 - Waldman
Broward County/Saltwater Fishing

HB 4039 - Waldman
Broward County/Fishing

HB 4053 - Ingram, Ford
City of Pensacola, Escambia County

II. Consideration of the following bills:

HB 533 - Raulerson
City of Tampa, Hillsborough County

CS/HB 1007 - Economic Affairs Committee, Rodrigues, R.
Lee County Tourist Development Council, Lee County

CS/HB 1009 - Local & Federal Affairs Committee, Mayfield
Fellsmere Water Control District, Indian River County

HB 1285 - Williams, A.
Tallahassee-Leon County Civic Center Authority, Leon County

CS/HB 1421 - Regulatory Affairs Committee, Beshears
Madison County

CS/CS/HB 1015 - Health & Human Services Committee, Healthy Families Subcommittee, & others
State Ombudsman Program

CS/CS/CS/HB 879 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Freight Logistics Zones

CS/CS/HB 7007 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Economic Development

CS/CS/HB 909 - Regulatory Affairs Committee, Insurance & Banking Subcommittee, & others
Property Insurance

CS/HB 433 - Insurance & Banking Subcommittee, Richardson, & others
Inspector General of Citizen's Property Insurance Corporation

CS/HB 7093 - Regulatory Affairs Committee, Insurance & Banking Subcommittee, & others
Establishment of Clearinghouse Program within Citizens Property Insurance Corporation

HB 7095 - Insurance & Banking Subcommittee, Nelson
Public Records/Citizens Property Insurance Corporation Clearinghouse Program

CS/HB 1191 - Insurance & Banking Subcommittee, Nelson
Captive Insurance

CS/HB 509 - Regulatory Affairs Committee, Van Zant
Insurance Corporations

CS/CS/HB 87 - Appropriations Committee, Judiciary Committee, & others
Mortgage Foreclosures

CS/HB 589 - Economic Development & Tourism Subcommittee, Raulerson, & others
State Poet Laureate

CS/CS/HB 643 - Justice Appropriations Subcommittee, Civil Justice Subcommittee, & others
Clerks of Court

CS/CS/CS/HB 1379 - Judiciary Committee, Justice Appropriations Subcommittee, & others
Service of Process

CS/CS/CS/HB 1245 - Regulatory Affairs Committee, Appropriations Committee, & others
Building Construction

CS/HB 1193 - State Affairs Committee, Beshears, & others
Taxation Of Property

CS/CS/HB 801 - Education Committee, Education Appropriations Subcommittee, & others
Certified School Counselors

CS/HB 737 - Business & Professional Regulation Subcommittee, Ahern, & others
Swimming Pool and Spa Contracting

CS/HB 241 - Health Care Appropriations Subcommittee, Reed, & others
Community Health Workers

CS/CS/HB 427 - Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee, & others
Specialty License Plates/Sun, Sea, and Smiles

HB 699 - Smith, Hood
Florida Salutes Veterans License Plate

CS/HB 787 - Justice Appropriations Subcommittee, Goodson, & others
Computer or Electronic Device Harassment

CS/CS/HB 1159 - Health & Human Services Committee, Health Innovation Subcommittee, & others
Health Care Facilities

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Robert C. Schenck, Chair
Rules & Calendar Committee

On motion by Rep. Schenck, the above report was adopted.

Bills and Joint Resolutions on Third Reading

CS for SB 1842—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and perform market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending s. 624.34, F.S.; conforming provisions to changes made by this act with respect to the registration of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s. 626.995, F.S.; providing the scope of part XII, ch. 626, F.S.; creating s. 626.9951, F.S.; providing definitions; creating s. 626.9952, F.S.; requiring the registration of navigators with the Department of Financial Services; providing the purpose for such registration; creating s. 626.9953, F.S.; providing qualifications for registration; providing for submission of a written application; specifying fees; requiring an applicant to submit fingerprints and pay a processing fee; creating s. 626.9954, F.S.; specifying criteria for disqualification from registration; authorizing the department to adopt rules establishing disqualifying time periods; creating s. 626.9955, F.S.; requiring the department to have a publicly available list of navigators and to report certain information to the exchange; creating s. 626.9956, F.S.; requiring a navigator to notify the department of a change of specified identifying information; creating s. 626.9957, F.S.; prohibiting specified conduct; providing grounds for denial, suspension, or revocation of registration; providing for administrative fines and other disciplinary actions; creating s. 626.9958, F.S.; authorizing the department to adopt rules; amending s. 627.402, F.S.; providing definitions for "grandfathered health plan," "nongrandfathered health plan," and "PPACA"; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; requiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6675, F.S.; specifying conditions for nonrenewal of a conversion policy; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by the office; providing for future repeal of this provision; amending s. 641.3922, F.S.; specifying conditions for nonrenewal of a health maintenance organization conversion contract; providing an appropriation; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 282

Speaker Weatherford in the Chair.

Yeas—78

Adkins	Edwards	Metz	Rodrigues, R.
Ahern	Fasano	Moraitis	Rooney
Albritton	Fitzenhagen	Nelson	Santiago
Artiles	Fresen	Nuñez	Schenck
Baxley	Gaetz	Oliva	Smith
Beshears	Gonzalez	O'Toole	Spano
Boyd	Goodson	Passidomo	Stark
Brodeur	Grant	Patronis	Steube
Broxson	Hager	Perry	Stewart
Caldwell	Harrell	Peters	Stone
Coley	Holder	Pigman	Tobia
Combee	Hood	Pilon	Trujillo
Corcoran	Hooper	Porter	Van Zant
Crisafulli	Hudson	Precourt	Weatherford
Cummings	Hutson	Raburn	Wood
Davis	Ingram	Raschein	Workman
Diaz, J.	La Rosa	Raulerson	Young
Diaz, M.	Magar	Ray	Zimmermann
Dudley	Mayfield	Renuart	
Eagle	McBurney	Roberson, K.	

Nays—36

Antone	Fullwood	Pritchett	Schwartz
Berman	Gibbons	Rader	Stafford
Bracy	Jones, M.	Rangel	Taylor
Campbell	Jones, S.	Reed	Thurston
Castor Dentel	Lee	Rehwinkel Vasilinda	Torres
Clarke-Reed	McGhee	Richardson	Waldman
Clelland	Moskowitz	Rodríguez, J.	Watson, B.
Cruz	Pafford	Rogers	Watson, C.
Danish	Powell	Saunders	Williams, A.

Votes after roll call:
Nays—Rouson, Slosberg

So the bill passed and was immediately certified to the Senate.

CS/HB 7169—A bill to be entitled An act relating to the Florida Health Choices Plus Program; amending s. 408.910, F.S.; providing that all employers who meet the requirements of the Florida Health Choices Program are eligible to enroll in the Florida Health Choices Plus Program; requiring participating employers to make a defined contribution with certain conditions; providing that individuals and employees of enrolled employers are eligible to participate in the program; providing that vendors may not refuse to sell any offered product or service to any participant in the program; providing that product prices shall be based on criteria established by the Florida Health Choices, Inc.; providing that certain forms, website design, and marketing communication developed by the Florida Health Choices, Inc., are not subject to the Florida Insurance Code; creating s. 408.9105, F.S.; creating the Florida Health Choices Plus Program; providing definitions; providing eligibility requirements; providing exceptions to such requirements in specific situations; requiring the Department of Children and Families to determine eligibility; providing for enrollment in the program; establishing open enrollment periods; requiring cessation of enrollment under certain circumstances; providing that participation in the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring an education and outreach campaign; requiring certain joint activities by the Florida Health Choices, Inc., and the Florida Healthy Kids Corporation; providing for a state benefit allowance, subject to an appropriation; requiring an individual contribution; providing for disenrollment in specific situations; allowing contributions from certain other entities; providing requirements and procedures for use of funds; providing for refunds; requiring the corporation to submit to the Governor and Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; creating a task force and providing its mission; establishing membership in the task force and providing for its expiration; amending s. 641.402, F.S.; authorizing prepaid health clinics to offer specified hospital services under certain circumstances; providing appropriations; providing an effective date.

—was read the third time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 283].

The question recurred on final passage of **CS/HB 7169**. The vote was:

Session Vote Sequence: 284

Speaker Weatherford in the Chair.

Yeas—71

Adkins	Eagle	McBurney	Ray
Ahern	Fitzenhagen	Metz	Renuart
Albritton	Fresen	Moraitis	Roberson, K.
Baxley	Gaetz	Nelson	Rodrigues, R.
Beshears	Gonzalez	Nuñez	Rooney
Bileca	Goodson	Oliva	Santiago
Boyd	Grant	O'Toole	Schenck
Brodeur	Hager	Passidomo	Smith
Broxson	Harrell	Patronis	Spano
Caldwell	Holder	Perry	Steube
Coley	Hood	Peters	Stone
Combee	Hooper	Pigman	Trujillo
Corcoran	Hudson	Pilon	Van Zant
Crisafulli	Hutson	Porter	Weatherford
Cummings	Ingram	Precourt	Wood
Davis	La Rosa	Raburn	Workman
Diaz, J.	Magar	Raschein	Young
Diaz, M.	Mayfield	Raulerson	

Nays—45

Antone	Berman	Bracy	Campbell
Castor Dentel	Jones, S.	Richardson	Thurston
Clarke-Reed	Lee	Rodríguez, J.	Tobia
Clelland	McGhee	Rogers	Torres
Cruz	Moskowitz	Rouson	Waldman
Danish	Pafford	Saunders	Watson, B.
Dudley	Powell	Schwartz	Watson, C.
Edwards	Pritchett	Slosberg	Williams, A.
Fasano	Rader	Stafford	Zimmermann
Fullwood	Rangel	Stark	
Gibbons	Reed	Stewart	
Jones, M.	Rehwinkel Vasilinda	Taylor	

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 463—A bill to be entitled An act relating to examination of dentists; amending s. 466.006, F.S.; revising the eligibility requirements for taking examinations required to practice dentistry; authorizing applicants enrolled in a recognized dental specialty program on a specified date to take the examinations if specified conditions are met; providing for future expiration of such authorization; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 285

Speaker Weatherford in the Chair.

Yeas—115

Adkins	Edwards	Nelson	Rouson
Ahern	Fasano	Nuñez	Santiago
Albritton	Fitzenhagen	Oliva	Saunders
Antone	Fresen	O'Toole	Schenck
Baxley	Fullwood	Pafford	Schwartz
Berman	Gaetz	Passidomo	Slosberg
Beshears	Gibbons	Patronis	Smith
Bileca	Gonzalez	Perry	Spano
Boyd	Goodson	Peters	Stafford
Bracy	Grant	Pigman	Stark
Brodeur	Hager	Pilon	Steube
Broxson	Harrell	Porter	Stewart
Caldwell	Holder	Powell	Stone
Campbell	Hood	Precourt	Taylor
Castor Dentel	Hooper	Pritchett	Thurston
Clarke-Reed	Hudson	Raburn	Tobia
Clelland	Hutson	Rader	Torres
Coley	Ingram	Rangel	Trujillo
Combee	Jones, M.	Raschein	Van Zant
Corcoran	Jones, S.	Raulerson	Waldman
Crisafulli	La Rosa	Ray	Watson, B.
Cruz	Lee	Reed	Watson, C.
Cummings	Magar	Renuart	Weatherford
Danish	Mayfield	Richardson	Williams, A.
Davis	McBurney	Roberson, K.	Wood
Diaz, J.	McGhee	Rodrigues, R.	Workman
Diaz, M.	Metz	Rodríguez, J.	Young
Dudley	Moraitis	Rogers	Zimmermann
Eagle	Moskowitz	Rooney	

Nays—None

Votes after roll call:
Yeas—Artiles, Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1325—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive

defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing exceptions; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing for applicability; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 286

Speaker Weatherford in the Chair.

Yeas—116

Adkins	Edwards	Nelson	Rooney
Ahern	Fasano	Nuñez	Rouson
Albritton	Fitzenhagen	Oliva	Santiago
Antone	Fresen	O'Toole	Saunders
Baxley	Fullwood	Pafford	Schenck
Berman	Gaetz	Passidomo	Schwartz
Beshears	Gibbons	Patronis	Slosberg
Bileca	Gonzalez	Perry	Smith
Boyd	Goodson	Peters	Spano
Bracy	Grant	Pigman	Stafford
Brodeur	Hager	Pilon	Stark
Broxson	Harrell	Porter	Steube
Caldwell	Holder	Powell	Stewart
Campbell	Hood	Precourt	Stone
Castor Dentel	Hooper	Pritchett	Taylor
Clarke-Reed	Hudson	Raburn	Thurston
Clelland	Hutson	Rader	Tobia
Coley	Ingram	Rangel	Torres
Combee	Jones, M.	Raschein	Trujillo
Corcoran	Jones, S.	Raulerson	Van Zant
Crisafulli	La Rosa	Ray	Waldman
Cruz	Lee	Reed	Watson, B.
Cummings	Magar	Rehwinkel Vasilinda	Watson, C.
Danish	Mayfield	Renuart	Weatherford
Davis	McBurney	Richardson	Williams, A.
Diaz, J.	McGhee	Roberson, K.	Wood
Diaz, M.	Metz	Rodrigues, R.	Workman
Dudley	Moraitis	Rodríguez, J.	Young
Eagle	Moskowitz	Rogers	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed and was immediately certified to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR

CS/HB 1327—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 287

Representative Coley in the Chair.

Yeas—116

Adkins	Edwards	Nelson	Rooney
Ahern	Fasano	Nuñez	Rouson
Albritton	Fitzenhagen	Oliva	Santiago
Antone	Fresen	O'Toole	Saunders
Baxley	Fullwood	Pafford	Schenck
Berman	Gaetz	Passidomo	Schwartz
Beshears	Gibbons	Patronis	Slosberg
Bileca	Gonzalez	Perry	Smith
Boyd	Goodson	Peters	Spano
Bracy	Grant	Pigman	Stafford
Brodeur	Hager	Pilon	Stark
Broxson	Harrell	Porter	Steube
Caldwell	Holder	Powell	Stewart
Campbell	Hood	Precourt	Stone
Castor Dentel	Hooper	Pritchett	Taylor
Clarke-Reed	Hudson	Raburn	Thurston
Clelland	Hutson	Rader	Tobia
Coley	Ingram	Rangel	Torres
Combee	Jones, M.	Raschein	Trujillo
Corcoran	Jones, S.	Raulerson	Van Zant
Crisafulli	La Rosa	Ray	Waldman
Cruz	Lee	Reed	Watson, B.
Cummings	Magar	Rehwinkel Vasilinda	Watson, C.
Danish	Mayfield	Renuart	Weatherford
Davis	McBurney	Richardson	Williams, A.
Diaz, J.	McGhee	Roberson, K.	Wood
Diaz, M.	Metz	Rodrigues, R.	Workman
Dudley	Moraitis	Rodríguez, J.	Young
Eagle	Moskowitz	Rogers	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

HB 1081—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county school board to use the school surtax to purchase school buses; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 288

Representative Coley in the Chair.

Yeas—115

Adkins	Danish	Jones, M.	Powell
Ahern	Davis	Jones, S.	Precourt
Albritton	Diaz, J.	La Rosa	Pritchett
Antone	Diaz, M.	Lee	Raburn
Baxley	Dudley	Magar	Rader
Berman	Eagle	Mayfield	Rangel
Beshears	Fasano	McBurney	Raschein
Bileca	Fitzenhagen	McGhee	Raulerson
Boyd	Fresen	Metz	Ray
Bracy	Fullwood	Moraitis	Reed
Brodeur	Gaetz	Moskowitz	Rehwinkel Vasilinda
Broxson	Gibbons	Nelson	Renuart
Caldwell	Gonzalez	Nuñez	Richardson
Campbell	Goodson	Oliva	Roberson, K.
Castor Dentel	Grant	O'Toole	Rodrigues, R.
Clarke-Reed	Hager	Pafford	Rodríguez, J.
Clelland	Harrell	Passidomo	Rogers
Coley	Holder	Patronis	Rooney
Combee	Hood	Perry	Rouson
Corcoran	Hooper	Peters	Santiago
Crisafulli	Hudson	Pigman	Saunders
Cruz	Hutson	Pilon	Schenck
Cummings	Ingram	Porter	Schwartz

Slosberg	Stewart	Trujillo	Williams, A.
Smith	Stone	Van Zant	Wood
Spano	Taylor	Waldman	Workman
Stafford	Thurston	Watson, B.	Young
Stark	Tobia	Watson, C.	Zimmermann
Steube	Torres	Weatherford	

Nays—None

Votes after roll call:
Yeas—Artiles, Edwards

So the bill passed and was immediately certified to the Senate.

CS/HB 1323—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; providing asset transfer limitations for the determination of eligibility for certain nursing facility services under the Medicaid program after a specified date; requiring the Department of Children and Families to determine the institutional spouse ineligible for Medicaid under certain circumstances; authorizing the Agency for Health Care Administration to recover certain Medicaid expenses; authorizing the department to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 289

Representative Coley in the Chair.

Yeas—80

Adkins	Fitzenhagen	McBurney	Ray
Ahern	Fresen	Metz	Renuart
Albritton	Gaetz	Moraitis	Richardson
Baxley	Gibbons	Moskowitz	Roberson, K.
Beshears	Gonzalez	Nelson	Rodrigues, R.
Bileca	Goodson	Nuñez	Rooney
Boyd	Grant	Oliva	Santiago
Brodeur	Hager	O'Toole	Schenck
Broxson	Harrell	Passidomo	Smith
Caldwell	Holder	Patronis	Spano
Coley	Hood	Perry	Steube
Combee	Hooper	Peters	Stone
Corcoran	Hudson	Pigman	Tobia
Crisafulli	Hutson	Pilon	Trujillo
Cummings	Ingram	Porter	Van Zant
Davis	Jones, M.	Powell	Waldman
Diaz, J.	Jones, S.	Precourt	Weatherford
Diaz, M.	La Rosa	Raburn	Wood
Eagle	Magar	Raschein	Workman
Edwards	Mayfield	Raulerson	Young

Nays—35

Antone	Fasano	Rehwinkel Vasilinda	Stewart
Berman	Fullwood	Rodríguez, J.	Taylor
Campbell	Lee	Rogers	Thurston
Castor Dentel	McGhee	Rouson	Torres
Clarke-Reed	Pafford	Saunders	Watson, B.
Clelland	Pritchett	Schwartz	Watson, C.
Cruz	Rader	Slosberg	Williams, A.
Danish	Rangel	Stafford	Zimmermann
Dudley	Reed	Stark	

Votes after roll call:
Nays—Bracy

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1091—A bill to be entitled An act relating to banking; amending s. 655.005, F.S.; revising a definition; amending s. 655.85, F.S.; clarifying that an institution may impose a fee for the settlement of a check under certain circumstances; providing legislative intent; creating s. 655.955, F.S.; providing that a financial institution is not civilly liable solely for extending a loan or line of credit; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 290

Representative Coley in the Chair.

Yeas—116

Adkins	Edwards	Nelson	Rooney
Ahern	Fasano	Nuñez	Rouson
Albritton	Fitzenhagen	Oliva	Santiago
Antone	Fresen	O'Toole	Saunders
Baxley	Fullwood	Pafford	Schenck
Berman	Gaetz	Passidomo	Schwartz
Beshears	Gibbons	Patronis	Slosberg
Bileca	Gonzalez	Perry	Smith
Boyd	Goodson	Peters	Spano
Bracy	Grant	Pigman	Stafford
Brodeur	Hager	Pilon	Stark
Broxson	Harrell	Porter	Steube
Caldwell	Holder	Powell	Stewart
Campbell	Hood	Precourt	Stone
Castor Dentel	Hooper	Pritchett	Taylor
Clarke-Reed	Hudson	Raburn	Thurston
Clelland	Hutson	Rader	Tobia
Coley	Ingram	Rangel	Torres
Combee	Jones, M.	Raschein	Trujillo
Corcoran	Jones, S.	Raulerson	Van Zant
Crisafulli	La Rosa	Ray	Waldman
Cruz	Lee	Reed	Watson, B.
Cummings	Magar	Rehwinkel Vasilinda	Watson, C.
Danish	Mayfield	Renuart	Weatherford
Davis	McBurney	Richardson	Williams, A.
Diaz, J.	McGhee	Roberson, K.	Wood
Diaz, M.	Metz	Rodrigues, R.	Workman
Dudley	Moraitis	Rodríguez, J.	Young
Eagle	Moskowitz	Rogers	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1021—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; allowing the Department of Highway Safety and Motor Vehicles to share driver license photographs with the Agency for Health Care Administration pursuant to an interagency agreement; amending s. 408.809, F.S.; adding additional disqualifying offenses to background screening provisions; amending s. 435.04, F.S.; revising information to be submitted for a background screening; adding additional disqualifying offenses; amending s. 435.07, F.S.; revising terminology; requiring that individuals seeking an exemption from disqualification must have completed all nonmonetary conditions imposed by the court for the disqualifying felony; requiring that all persons seeking an exemption from disqualification have paid any court-ordered monetary penalty in full before being eligible to apply; amending s. 435.12, F.S.; requiring that a photograph of the person taken at the time the fingerprints are processed be submitted to the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; requiring specified information to be included with the initiation of the screening registration within the clearinghouse; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 291

Representative Coley in the Chair.

Yeas—116

Adkins	Antone	Beshears	Bracy
Ahern	Baxley	Bileca	Brodeur
Albritton	Berman	Boyd	Broxson

Caldwell	Grant	Patronis	Saunders
Campbell	Hager	Perry	Schenck
Castor Dentel	Harrell	Peters	Schwartz
Clarke-Reed	Holder	Pigman	Slosberg
Clelland	Hood	Pilon	Smith
Coley	Hooper	Porter	Spano
Combee	Hudson	Powell	Stafford
Corcoran	Hutson	Precourt	Stark
Crisafulli	Ingram	Pritchett	Steube
Cruz	Jones, M.	Raburn	Stewart
Cummings	Jones, S.	Rader	Stone
Danish	La Rosa	Rangel	Taylor
Davis	Lee	Raschein	Thurston
Diaz, J.	Magar	Raulerson	Tobia
Diaz, M.	Mayfield	Ray	Torres
Dudley	McBurney	Reed	Trujillo
Eagle	McGhee	Rehwinkel Vasilinda	Van Zant
Edwards	Metz	Renuart	Waldman
Fasano	Moraitis	Richardson	Watson, B.
Fitzenhagen	Moskowitz	Roberson, K.	Watson, C.
Fresen	Nelson	Rodrigues, R.	Weatherford
Fullwood	Nuñez	Rodríguez, J.	Williams, A.
Gaetz	Oliva	Rogers	Wood
Gibbons	O'Toole	Rooney	Workman
Gonzalez	Pafford	Rouson	Young
Goodson	Passidomo	Santiago	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 807—A bill to be entitled An act relating to emergency communication system; amending s. 365.172, F.S., relating to the Emergency Communications Number E911 System; revising definitions; revising provisions relating to oversight of certain fees by the Technology Program within the Department of Management Services; revising E911 board appointment provisions; revising duties of the board; revising provisions for administration, distribution, and use of the E911 fee; revising provisions for state E911 Grant Program funding; revising E911 fee provisions; revising fee collection procedures; providing that the state and local governments are not consumers for certain purposes; specifying the amount of the fee; revising provisions for use of the fees collected; authorizing the board to adjust the rate of the fee; providing that fees collected may not be included in the base for measuring any tax, fee, surcharge, or other charge; providing for a prepaid wireless E911 fee; limiting the amount of the fee; providing procedures for adjustment and imposition of the fee; requiring the Department of Revenue to provide notice to sellers; providing requirements for collection of the fee by the seller; providing criteria for the location of the transaction; providing requirements and procedures for filing returns and remitting fees to the Department of Revenue; providing that the Department of Revenue is the agent for the E911 Board for purposes of collecting the prepaid wireless E911 fee; requiring sellers of prepaid wireless services to register with the department; providing for distribution of funds remitted; limiting liability of provider or seller of prepaid wireless service; prohibiting a local government from imposing a fee on sellers of prepaid wireless services; providing that the state and local governments are not consumers for certain purposes; providing definitions for specified purposes; revising provisions for authorized expenditures of the E911 fee; providing that certain costs of the Department of Health are functions of 911 services; amending s. 365.173, F.S.; revising provisions for accounting, distribution, use, and auditing of the Emergency Communications Number E911 System Fund; providing for a prepaid wireless category in such fund; providing an appropriation; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 292

Representative Coley in the Chair.

Yeas—116

Adkins	Edwards	Nelson	Rooney
Ahern	Fasano	Nuñez	Rouson
Albritton	Fitzenhagen	Oliva	Santiago
Antone	Fresen	O'Toole	Saunders
Baxley	Fullwood	Pafford	Schenck
Berman	Gaetz	Passidomo	Schwartz
Beshears	Gibbons	Patronis	Slosberg
Bileca	Gonzalez	Perry	Smith
Boyd	Goodson	Peters	Spano
Bracy	Grant	Pigman	Stafford
Brodeur	Hager	Pilon	Stark
Broxson	Harrell	Porter	Steube
Caldwell	Holder	Powell	Stewart
Campbell	Hood	Precourt	Stone
Castor Dentel	Hooper	Pritchett	Taylor
Clarke-Reed	Hudson	Raburn	Thurston
Clelland	Hutson	Rader	Tobia
Coley	Ingram	Rangel	Torres
Combee	Jones, M.	Raschein	Trujillo
Corcoran	Jones, S.	Raulerson	Van Zant
Crisafulli	La Rosa	Ray	Waldman
Cruz	Lee	Reed	Watson, B.
Cummings	Magar	Rehwinkel Vasilinda	Watson, C.
Danish	Mayfield	Renuart	Weatherford
Davis	McBurney	Richardson	Williams, A.
Diaz, J.	McGhee	Roberson, K.	Wood
Diaz, M.	Metz	Rodrigues, R.	Workman
Dudley	Moraitis	Rodríguez, J.	Young
Eagle	Moskowitz	Rogers	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 125—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly (PACE); requiring the Agency for Health Care Administration to contract with a certain organization to provide PACE services in Duval, St. Johns, Baker, and Nassau Counties; requiring the agency to contract with a certain not-for-profit corporation to provide PACE services in Alachua and Clay Counties; authorizing the agency to contract with a certain organization to provide PACE services in Hernando and Pasco counties; providing an exemption from ch. 641, F.S., for an organization or the not-for-profit corporation providing PACE services in counties specified in the act; authorizing, subject to appropriation, enrollment slots for the program in such counties; prohibiting the agency from issuing additional PACE contracts under certain circumstances; requiring PACE projects approved after a specified date to be subject to certain rate-setting and encounter data submission requirements; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 293

Representative Coley in the Chair.

Yeas—114

Adkins	Clarke-Reed	Fasano	Hutson
Ahern	Clelland	Fitzenhagen	Ingram
Albritton	Coley	Fresen	Jones, M.
Antone	Combee	Fullwood	Jones, S.
Baxley	Corcoran	Gaetz	La Rosa
Berman	Crisafulli	Gibbons	Lee
Beshears	Cruz	Gonzalez	Magar
Bileca	Cummings	Goodson	Mayfield
Boyd	Danish	Grant	McBurney
Bracy	Davis	Hager	McGhee
Brodeur	Diaz, J.	Harrell	Metz
Broxson	Diaz, M.	Holder	Moraitis
Caldwell	Dudley	Hood	Moskowitz
Campbell	Eagle	Hooper	Nelson
Castor Dentel	Edwards	Hudson	Nuñez

Oliva	Rader	Rouson	Tobia
O'Toole	Rangel	Santiago	Torres
Pafford	Raschein	Saunders	Trujillo
Passidomo	Raulerson	Schenck	Van Zant
Patronis	Ray	Slosberg	Waldman
Perry	Reed	Smith	Watson, B.
Peters	Rehwinkel Vasilinda	Spano	Watson, C.
Pigman	Renuart	Stafford	Weatherford
Pilon	Richardson	Stark	Williams, A.
Porter	Roberson, K.	Steube	Wood
Powell	Rodrigues, R.	Stewart	Workman
Precourt	Rodríguez, J.	Stone	Zimmermann
Pritchett	Rogers	Taylor	
Raburn	Rooney	Thurston	

Nays—None

Votes after roll call:
Yeas—Artiles, Young

So the bill passed and was immediately certified to the Senate.

CS/HB 1161—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; amending s. 491.009, F.S.; revising acts constituting grounds for the denial of a license or disciplinary action; authorizing the board and the Department of Health to deny licensure or impose specified penalties against an applicant or licensee for certain violations; amending s. 491.0112, F.S.; revising a provision providing that a psychotherapist who commits sexual misconduct with a client or former client commits a felony of the third degree; amending s. 491.012, F.S.; prohibiting a person from using the title "mental health counselor coach" without a valid mental health counselor license; deleting an obsolete provision; amending s. 491.0145, F.S.; providing certified master social workers a limited exemption from continuing education requirements; amending s. 491.0149, F.S.; requiring the use of applicable professional titles by licensees, provisional licensees, and registrants on social media and other specified materials; creating s. 491.017, F.S.; providing a presumption of good faith for the actions of a court-appointed mental health professional who develops a parenting plan recommendation; prohibiting anonymous complaints; providing prerequisites for a parent to bring a suit against a mental health professional; providing for the awarding of attorney fees and court costs; providing an effective date.

—was read the third time by title.

Representative Baxley offered the following:

(Amendment Bar Code: 785629)

Amendment 1—Remove lines 132-135 and insert:
(6) Any registration issued on or before June 30, 2011, shall expire July 1, 2016, and may not be renewed or reissued. Any registration issued after June 30, 2011, shall expire 60 months after the date it is issued. Any subsequent intern registration shall be issued at the discretion of the board.

Rep. Baxley moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Baxley offered the following:

(Amendment Bar Code: 489377)

Amendment 2 (with title amendment)—Remove lines 629-837

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

Remove lines 30-55 and insert:
providing an effective date.

Rep. Baxley moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/HB 1161**. The vote was:

Session Vote Sequence: 294

Representative Coley in the Chair.

Yeas—116

Adkins	Edwards	Nelson	Rooney
Ahern	Fasano	Nuñez	Rouson
Albritton	Fitzenhagen	Oliva	Santiago
Antone	Fresen	O'Toole	Saunders
Baxley	Fullwood	Pafford	Schenck
Berman	Gaetz	Passidomo	Schwartz
Beshears	Gibbons	Patronis	Slosberg
Bileca	Gonzalez	Perry	Smith
Boyd	Goodson	Peters	Spano
Bracy	Grant	Pigman	Stafford
Brodeur	Hager	Pilon	Stark
Broxson	Harrell	Porter	Steube
Caldwell	Holder	Powell	Stewart
Campbell	Hood	Precourt	Stone
Castor Dentel	Hooper	Pritchett	Taylor
Clarke-Reed	Hudson	Raburn	Thurston
Clelland	Hutson	Rader	Tobia
Coley	Ingram	Rangel	Torres
Combee	Jones, M.	Raschein	Trujillo
Corcoran	Jones, S.	Raulerson	Van Zant
Crisafulli	La Rosa	Ray	Waldman
Cruz	Lee	Reed	Watson, B.
Cummings	Magar	Rehwinkel Vasilinda	Watson, C.
Danish	Mayfield	Renuart	Weatherford
Davis	McBurney	Richardson	Williams, A.
Diaz, J.	McGhee	Roberson, K.	Wood
Diaz, M.	Metz	Rodrigues, R.	Workman
Dudley	Moraitis	Rodríguez, J.	Young
Eagle	Moskowitz	Rogers	Zimmermann

Nays—None

Votes after roll call:
Yeas—Artiles

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Expedited Local Bill Calendar

HB 855—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 2001-313, Laws of Florida, as amended; authorizing construction of improvements on district property for recreational purposes within a specified area of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Rooney, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 949—A bill to be entitled An act relating to Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising provisions for the election of members of the Charlotte County Airport Authority; providing for the members to be known as commissioners; repealing s. 2 of chapter 63-1207, Laws of Florida, relating to obsolete provisions for the election of members of the Charlotte County Development Commission; providing an effective date.

—was read the second time by title. On motion by Rep. K. Roberson, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 8000

Representative Coley in the Chair.

Yeas—113

Adkins	Clelland	Fullwood	La Rosa
Ahern	Coley	Gaetz	Lee
Albritton	Combee	Gibbons	Magar
Antone	Corcoran	Gonzalez	Mayfield
Baxley	Crisafulli	Goodson	McBurney
Berman	Cruz	Grant	McGhee
Beshears	Cummings	Hager	Metz
Bileca	Danish	Harrell	Moraitis
Boyd	Davis	Holder	Moskowitz
Bracy	Diaz, J.	Hood	Nelson
Brodeur	Diaz, M.	Hooper	Nuñez
Broxson	Dudley	Hudson	Oliva
Caldwell	Eagle	Hutson	O'Toole
Campbell	Fasano	Ingram	Pafford
Castor Dentel	Fitzenhagen	Jones, M.	Passidomo
Clarke-Reed	Fresen	Jones, S.	Patronis
Perry	Reed	Schwartz	Van Zant
Peters	Rehwinkel Vasilinda	Slosberg	Waldman
Pigman	Renuart	Smith	Watson, B.
Pilon	Richardson	Spano	Watson, C.
Porter	Roberson, K.	Stafford	Weatherford
Powell	Rodrigues, R.	Stark	Williams, A.
Precourt	Rodríguez, J.	Steube	Wood
Pritchett	Rogers	Stewart	Workman
Raburn	Rooney	Stone	Young
Rader	Rouson	Thurston	Zimmermann
Raschein	Santiago	Tobia	
Raulerson	Saunders	Torres	
Ray	Schenck	Trujillo	

Nays—1

Rangel

So the bill passed and was immediately certified to the Senate.

CS/HB 977—A bill to be entitled An act relating to St. Lucie County Mosquito Control District, St. Lucie County; amending chapter 2003-365, Laws of Florida; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Harrell, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 979—A bill to be entitled An act relating to Fort Pierce Farms Water Control District, St. Lucie County; codifying the district's charter pursuant to s. 189.429, Florida Statutes; providing legislative intent; amending, codifying, repealing, and reenacting all special acts relating to Fort Pierce Farms Water Control District as a single act; repealing chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, relating to the Fort Pierce Farms Water Control District; providing an effective date.

—was read the second time by title. On motion by Rep. Mayfield, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 981—A bill to be entitled An act relating to the North St. Lucie River Water Control District, St. Lucie County; codifying, amending, reenacting, and repealing special acts relating to the district; providing a charter for the district; providing district boundaries; providing purpose; providing for a governing board and its membership, compensation, and duties; providing requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; providing for the issuance of bonds; providing for elections; authorizing the levy of taxes, non-ad valorem assessments, fees, and service charges; providing for termination of the district; providing for construction and severability; repealing chapters 7973 (1919), 8896 (1921), 9635 (1923), 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773 (1931), 14774 (1931), 14775 (1931), 16089 (1933), 22111 (1943), 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842, 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Rep. Mayfield, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Baxley	Boyd	Caldwell
Ahern	Berman	Bracy	Campbell
Albritton	Beshears	Brodeur	Castor Dentel
Antone	Bileca	Broxson	Clarke-Reed
Clelland	Hood	Pigman	Schwartz
Coley	Hooper	Pilon	Slosberg
Combee	Hudson	Porter	Smith
Corcoran	Hutson	Powell	Spano
Crisafulli	Ingram	Precourt	Stafford
Cruz	Jones, M.	Pritchett	Stark
Cummings	Jones, S.	Raburn	Steube
Danish	La Rosa	Rader	Stewart
Davis	Lee	Rangel	Stone
Diaz, J.	Magar	Raschein	Thurston
Diaz, M.	Mayfield	Raulerson	Tobia
Dudley	McBurney	Ray	Torres
Eagle	McGhee	Reed	Trujillo
Fasano	Metz	Rehwinkel Vasilinda	Van Zant
Fitzenhagen	Moraitis	Renuart	Waldman
Fresen	Moskowitz	Richardson	Watson, B.
Fullwood	Nelson	Roberson, K.	Watson, C.
Gaetz	Nuñez	Rodrigues, R.	Weatherford
Gibbons	Oliva	Rodríguez, J.	Williams, A.
Gonzalez	O'Toole	Rogers	Wood
Goodson	Pafford	Rooney	Workman
Grant	Passidomo	Rouson	Young
Hager	Patronis	Santiago	Zimmermann
Harrell	Perry	Saunders	
Holder	Peters	Schenck	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1013—A bill to be entitled An act relating to the Technological Research and Development Authority, Brevard County; abolishing the authority; transferring all assets and liabilities of the authority to the county; repealing ch. 2005-337, Laws of Florida, relating to creation of the authority; providing effective dates.

—was read the second time by title. On motion by Rep. Workman, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1027—A bill to be entitled An act relating to the Broward County Education, Research, and Training Authority, Broward County; repealing chapter 94-431, Laws of Florida, relating to the creation of the authority; abolishing the authority; transferring assets and liabilities of the authority; providing an effective date.

—was read the second time by title. On motion by Rep. Waldman, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1069—A bill to be entitled An act relating to the Emerald Coast Utilities Authority, Escambia County; amending chapter 2001-324, Laws of Florida; revising the frequency of a management efficiency audit; providing an effective date.

—was read the second time by title. On motion by Rep. Ingram, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Brodeur	Crisafulli	Fitzenhagen
Ahern	Broxson	Cruz	Fresen
Albritton	Caldwell	Cummings	Fullwood
Antone	Campbell	Danish	Gaetz
Baxley	Castor Dentel	Davis	Gibbons
Berman	Clarke-Reed	Diaz, J.	Gonzalez
Beshears	Clelland	Diaz, M.	Goodson
Bileca	Coley	Dudley	Grant
Boyd	Combee	Eagle	Hager
Bracy	Corcoran	Fasano	Harrell
Holder	Oliva	Reed	Steube
Hood	O'Toole	Rehwinkel Vasilinda	Stewart
Hooper	Pafford	Renuart	Stone
Hudson	Passidomo	Richardson	Thurston
Hutson	Patronis	Roberson, K.	Tobia
Ingram	Perry	Rodrigues, R.	Torres
Jones, M.	Peters	Rodríguez, J.	Trujillo
Jones, S.	Pigman	Rogers	Van Zant
La Rosa	Pilon	Rooney	Waldman
Lee	Porter	Rouson	Watson, B.
Magar	Powell	Santiago	Watson, C.
Mayfield	Precourt	Saunders	Weatherford
McBurney	Pritchett	Schenck	Williams, A.
McGhee	Raburn	Schwartz	Wood
Metz	Rader	Slosberg	Workman
Moraitis	Rangel	Smith	Young
Moskowitz	Raschein	Spano	Zimmermann
Nelson	Raulerson	Stafford	
Nuñez	Ray	Stark	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1171—A bill to be entitled An act relating to St. Lucie and Martin Counties; amending chapter 2012-45, Laws of Florida; revising provisions for the temporary distribution from Martin County to St. Lucie County of certain tax and assessment revenue collected in a portion of St. Lucie County being incorporated into Martin County; defining the term "tax and assessment revenue"; exempting certain revenue from distribution to St. Lucie County; revising the annual date of such distributions; providing an effective date.

—was read the second time by title. On motion by Rep. Harrell, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1271—A bill to be entitled An act relating to the Central County Water Control District, Hendry County; amending chapter 2000-415, Laws of Florida; revising the legal description of the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Hudson, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1281—A bill to be entitled An act relating to East County Water Control District, Hendry and Lee Counties; amending chapter 2000-423, Laws of Florida; authorizing the board of commissioners to exercise additional powers relating to public improvements and community facilities and their funding; providing for applicability; providing an effective date.

—was read the second time by title. On motion by Rep. Caldwell, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Broxson	Cummings	Gaetz
Ahern	Caldwell	Danish	Gibbons
Albritton	Campbell	Davis	Gonzalez
Antone	Castor Dentel	Diaz, J.	Goodson
Baxley	Clarke-Reed	Diaz, M.	Grant
Berman	Clelland	Dudley	Hager
Beshears	Coley	Eagle	Harrell
Bileca	Combee	Fasano	Holder
Boyd	Corcoran	Fitzenhagen	Hood
Bracy	Crisafulli	Fresen	Hooper
Brodeur	Cruz	Fullwood	Hudson
Hutson	Passidomo	Renuart	Stewart
Ingram	Patronis	Richardson	Stone
Jones, M.	Perry	Roberson, K.	Thurston
Jones, S.	Peters	Rodrigues, R.	Tobia
La Rosa	Pigman	Rodríguez, J.	Torres
Lee	Pilon	Rogers	Trujillo
Magar	Porter	Rooney	Van Zant
Mayfield	Powell	Rouson	Waldman
McBurney	Precourt	Santiago	Watson, B.
McGhee	Pritchett	Saunders	Watson, C.
Metz	Raburn	Schenck	Weatherford
Moraitis	Rader	Schwartz	Williams, A.
Moskowitz	Rangel	Slosberg	Wood
Nelson	Raschein	Smith	Workman
Nuñez	Raulerson	Spano	Young
Oliva	Ray	Stafford	Zimmermann
O'Toole	Reed	Stark	
Pafford	Rehwinkel Vasilinda	Steube	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1283—A bill to be entitled An act relating to Nassau County; amending chapter 81-440, Laws of Florida; revising criteria for special alcoholic beverage licenses for restaurants within the county; providing an effective date.

—was read the second time by title. On motion by Rep. Adkins, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 8001

Representative Coley in the Chair.

Yeas—113

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Waldman
Combee	Jones, S.	Raulerson	Watson, B.
Corcoran	La Rosa	Ray	Watson, C.
Crisafulli	Lee	Reed	Weatherford
Cruz	Magar	Rehwinkel Vasilinda	Williams, A.
Cummings	Mayfield	Renuart	Wood
Danish	McBurney	Richardson	Workman
Davis	McGhee	Roberson, K.	Young
Diaz, J.	Metz	Rodrigues, R.	Zimmermann
Diaz, M.	Moraitis	Rodríguez, J.	
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—1
Van Zant

So the bill passed and was immediately certified to the Senate.

HB 1287—A bill to be entitled An act relating to the Tohopekaliga Water Authority, Osceola County; amending chapter 2003-368, Laws of Florida; revising the terms of members of the authority; providing an effective date.

—was read the second time by title. On motion by Rep. La Rosa, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1321—A bill to be entitled An act relating to the Florida Keys Aqueduct Authority, Monroe County; amending chapter 76-441, Laws of Florida, as amended; revising membership of the board of directors of the authority; providing that members be elected in nonpartisan elections rather than appointed; providing an effective date.

—was read the second time by title. On motion by Rep. Raschein, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Coley	Gibbons	Mayfield
Ahern	Combee	Gonzalez	McBurney
Albritton	Corcoran	Goodson	McGhee
Antone	Crisafulli	Grant	Metz
Baxley	Cruz	Hager	Moraitis
Berman	Cummings	Harrell	Moskowitz
Beshears	Danish	Holder	Nelson
Bileca	Davis	Hood	Nuñez
Boyd	Diaz, J.	Hooper	Oliva
Bracy	Diaz, M.	Hudson	O'Toole
Brodeur	Dudley	Hutson	Pafford
Broxson	Eagle	Ingram	Passidomo
Caldwell	Fasano	Jones, M.	Patronis
Campbell	Fitzenhagen	Jones, S.	Perry
Castor Dentel	Fresen	La Rosa	Peters
Clarke-Reed	Fullwood	Lee	Pigman
Clelland	Gaetz	Magar	Pilon
Porter	Renuart	Slosberg	Van Zant
Powell	Richardson	Smith	Waldman
Precourt	Roberson, K.	Spano	Watson, B.
Pritchett	Rodrigues, R.	Stafford	Watson, C.
Raburn	Rodríguez, J.	Stark	Weatherford
Rader	Rogers	Steube	Williams, A.
Rangel	Rooney	Stewart	Wood
Raschein	Rouson	Stone	Workman
Raulerson	Santiago	Thurston	Young
Ray	Saunders	Tobia	Zimmermann
Reed	Schenck	Torres	
Rehwinkel Vasilinda	Schwartz	Trujillo	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1367—A bill to be entitled An act relating to the Tampa Port Authority, Hillsborough County; amending chapter 95-488, Laws of Florida, as amended; deleting a requirement that certain expenditures be approved by an affirmative vote of a specified number of members of the authority; providing an effective date.

—was read the second time by title. On motion by Rep. Young, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1403—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida, as amended; revising provisions relating to vacancies on the district's governing board; revising compensation of the governing board members, subject to annual adjustment according to a specified price index; providing an effective date.

—was read the second time by title. On motion by Rep. Raschein, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1411—A bill to be entitled An act relating to Pinellas County; amending chapter 72-666, Laws of Florida, as amended; updating terminology applicable to provisions relating to the Pinellas Police Standards Council; revising certain assessments of court costs that provide funding for the council; providing an effective date.

—was read the second time by title. On motion by Rep. Hooper, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Coley	Gibbons	Mayfield
Ahern	Combee	Gonzalez	McBurney
Albritton	Corcoran	Goodson	McGhee
Antone	Crisafulli	Grant	Metz
Baxley	Cruz	Hager	Moraitis
Berman	Cummings	Harrell	Moskowitz
Beshears	Danish	Holder	Nelson
Bileca	Davis	Hood	Nuñez
Boyd	Diaz, J.	Hooper	Oliva
Bracy	Diaz, M.	Hudson	O'Toole
Brodeur	Dudley	Hutson	Pafford
Broxson	Eagle	Ingram	Passidomo
Caldwell	Fasano	Jones, M.	Patronis
Campbell	Fitzenhagen	Jones, S.	Perry
Castor Dentel	Fresen	La Rosa	Peters
Clarke-Reed	Fullwood	Lee	Pigman
Clelland	Gaetz	Magar	Pilon
Porter	Renuart	Slosberg	Van Zant
Powell	Richardson	Smith	Waldman
Precourt	Roberson, K.	Spano	Watson, B.
Pritchett	Rodrigues, R.	Stafford	Watson, C.
Raburn	Rodríguez, J.	Stark	Weatherford
Rader	Rogers	Steube	Williams, A.
Rangel	Rooney	Stewart	Wood
Raschein	Rouson	Stone	Workman
Raulerson	Santiago	Thurston	Young
Ray	Saunders	Tobia	Zimmermann
Reed	Schenck	Torres	
Rehwinkel Vasilinda	Schwartz	Trujillo	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 4037—A bill to be entitled An act relating to Broward County; repealing chapter 12554 (1927), Laws of Florida, relating to saltwater fishing; providing an effective date.

—was read the second time by title. On motion by Rep. Waldman, the rules were waived and the was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 4039—A bill to be entitled An act relating to Broward County; repealing chapter 8636 (1921), Laws of Florida, relating to fishing; providing an effective date.

—was read the second time by title. On motion by Rep. Waldman, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 4053—A bill to be entitled An act relating to the City of Pensacola, Escambia County; repealing chapters 84-510, 86-447, 86-450, 88-537, and 90-473, Laws of Florida; repealing the Civil Service System for city employees; providing an effective date.

—was read the second time by title. On motion by Rep. Ingram, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 295

Representative Coley in the Chair.

Yeas—114

Adkins	Fasano	Nuñez	Rouson
Ahern	Fitzenhagen	Oliva	Santiago
Albritton	Fresen	O'Toole	Saunders
Antone	Fullwood	Pafford	Schenck
Baxley	Gaetz	Passidomo	Schwartz
Berman	Gibbons	Patronis	Slosberg
Beshears	Gonzalez	Perry	Smith
Bileca	Goodson	Peters	Spano
Boyd	Grant	Pigman	Stafford
Bracy	Hager	Pilon	Stark
Brodeur	Harrell	Porter	Steube
Broxson	Holder	Powell	Stewart
Caldwell	Hood	Precourt	Stone
Campbell	Hooper	Pritchett	Thurston
Castor Dentel	Hudson	Raburn	Tobia
Clarke-Reed	Hutson	Rader	Torres
Clelland	Ingram	Rangel	Trujillo
Coley	Jones, M.	Raschein	Van Zant
Combee	Jones, S.	Raulerson	Waldman
Corcoran	La Rosa	Ray	Watson, B.
Crisafulli	Lee	Reed	Watson, C.
Cruz	Magar	Rehwinkel Vasilinda	Weatherford
Cummings	Mayfield	Renuart	Williams, A.
Danish	McBurney	Richardson	Wood
Davis	McGhee	Roberson, K.	Workman
Diaz, J.	Metz	Rodrigues, R.	Young
Diaz, M.	Moraitis	Rodríguez, J.	Zimmermann
Dudley	Moskowitz	Rogers	
Eagle	Nelson	Rooney	

Nays—None

So the bill passed and was immediately certified to the Senate.

Special Orders

HB 533—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definition of the term "Pension Credit"; providing an effective date.

—was read the second time by title.

Representative Raulerson offered the following:

(Amendment Bar Code: 207373)

Amendment 1 (with title amendment)—Remove lines 19-21 and insert: Credit shall become nonforfeitable if the Plan is fully terminated or has a partial termination applicable to such Employee. An Employee with less than 6 continuous years of service will be entitled to the return of his or her contributions to the Plan upon the termination or partial termination of the Plan.

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

Remove line 6 and insert:
the term "Pension Credit"; specifying conditions under which an Employee's Pension Credit is nonforfeitable; providing for the return to an Employee of his or her contributions to the Plan under certain circumstances; providing an effective

Rep. Raulerson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1007—A bill to be entitled An act relating to the Lee County Tourist Development Council, Lee County; revising membership of the council; providing an exception to general law; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1009—A bill to be entitled An act relating to the Fellsmere Water Control District, Indian River County; codifying, amending, reenacting, and repealing chapters 8877 (1921), 11555 (1925), 12023 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and 69-1161, Laws of Florida; renaming the district as the Fellsmere Improvement District, a special tax district; providing legislative intent; providing additional authority relating to the provision of public infrastructure, services, assessment, levy, and collection of non-ad valorem assessments and fees, public finance, and district operations; providing district boundaries; providing for applicability of chapter 298, F.S., and other general laws; providing powers of the district; providing for compliance with county and municipal plans and regulations; providing for levy of non-ad valorem assessments; providing for collection, enforcement, and penalties; providing for issuance of revenue bonds, assessment bonds, and bond anticipation notes; ratifying prior acts and circuit court decrees; providing for severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1285—A bill to be entitled An act relating to the Tallahassee-Leon County Civic Center Authority, Leon County; abolishing the authority; repealing chapter 2004-435, Laws of Florida, relating to the charter of the

authority; designating the Tallahassee-Leon County Civic Center as the "Donald L. Tucker Civic Center"; providing for the erection of suitable markers; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a beverage license to Florida State University or its designee; transferring all assets and liabilities of the authority to the university; providing for applicability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1421—A bill to be entitled An act relating to Madison County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage license to certain hotels and motels in the county; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1015—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of state and local ombudsman councils; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 879—A bill to be entitled An act relating to freight logistics zones; creating s. 311.103, F.S.; defining the term "freight logistics zones"; authorizing a county or two or more contiguous counties to designate a geographic area or areas within its jurisdiction as a freight logistics zone; requiring the adoption of a strategic plan which must include certain information; providing that certain projects within freight logistics zones may be eligible for priority in state funding and certain incentive programs; providing evaluation criteria for freight logistics zones; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 7007—A bill to be entitled An act relating to economic development; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; revising definitions; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the department's annual report; deleting certain reporting requirements; amending s. 288.061, F.S.; providing for the evaluation of economic development incentive applications; requiring an applicant to provide a surety bond to the department before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance

measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of $5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and the department to publish the description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; creating s. 288.0761, F.S.; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; revising provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the department to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the department's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the department, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the department, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending 288.9918, F.S.; revising reporting requirements related to community development entities, amending 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the department's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the department's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception, providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; revising requirements for the estimate of interest due on

advances received from the Federal Government to the Unemployment Compensation Trust Fund; revising the calculation of additional assessments to contributing employers to repay the interest; providing an exemption from such additional assessments; amending s. 443.151 F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of benefit charges for failure to timely and adequately respond to notice of claim or request for information; imposing a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring appeals referees appointed on or after a specified date to be attorneys in good standing or admitted to The Florida Bar within a specified period after employment; requiring the department to meet these changes in appeals referee qualifications through attrition after a specified date; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing penalties; amending s. 443.191, F.S.; providing for deposit of moneys collected for certain penalties in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the department's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing for applicability; providing effective dates.

—was read the second time by title.

Representative Trujillo offered the following:

(Amendment Bar Code: 906525)

Amendment 1—Remove lines 794-805 and insert:

(2) Beginning July 1, 2013, the department shall review and evaluate each economic development incentive application for the economic benefits of the proposed award of state incentives for the project. The term "economic benefits" has the same meaning as provided in s. 288.005. The Office of Economic and Demographic Research shall establish the methodology and model used to calculate the economic benefits. For purposes of this subsection, an amended definition of "economic benefits" may be developed by the Office of Economic and Demographic Research.

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 897789)

Amendment 2 (with directory and title amendments)—Remove lines 940-949 and insert:

(5)(a) The executive director may not approve an economic development incentive application unless the application includes a signed written declaration by the applicant which states that the applicant has read the information in the application and that the information is true, correct, and complete to the best of the applicant's knowledge and belief.

(b) After an economic development incentive application is approved, the awardee shall provide, in each year that the department is required to validate contractor performance, a signed written declaration. The written declaration must state that the awardee has reviewed the information and that the information is true, correct, and complete to the best of the awardee's knowledge and belief.

(6) In the event of default on the performance conditions specified in the contract or agreement, or violation of any provision in this section, the state may, in addition to any other remedy provided by law, bring suit to enforce its interest.

(7)~~(3)~~ The department shall validate contractor performance. Such validation shall be reported in the annual incentive report required under s. 288.907.

(8) The department is authorized to adopt rules to implement this section.

D I R E C T O R Y A M E N D M E N T

Remove lines 790-791 and insert:

subsections (3) and (7), respectively, and new subsections (2), (4), (5), (6), and (8) are added to that section, to read:

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

Remove line 109 and insert:

Commission; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; requiring an awardee to provide a signed written declaration in specified years; providing that the state may bring suit

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 069067)

Amendment 3 (with directory and title amendments)—Remove lines 1028-1059 and insert:

(d) Project evaluation criteria.—The economic benefits generated by the project.

(e) Project performance goals.—

1. The incremental direct jobs attributable to the project, identifying the number of jobs generated and the number of jobs retained.

2. The number of jobs generated and the number of jobs retained by the project, and for projects commencing after October 1, 2013, the average annual wage of persons holding such jobs.

3. The incremental direct capital investment in the state generated by the project.

(f) Total state investment to date.—The total amount of state investment disbursed to the participant business to date under the terms of the contract, itemized by incentive program.

(4) The department shall calculate and publish on its website the economic benefits of each project within 48 hours after the conclusion of the agreement between each participant business and the department. The department shall work with the Office of Economic and Demographic Research to provide a description of the methodology used to calculate the economic benefits of a project, and the department must publish the information on its website.

D I R E C T O R Y A M E N D M E N T

Remove lines 970-971 and insert:

Section 11. Effective October 1, 2013, section 288.076, Florida Statutes, is created to read:

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

Remove lines 116-123 and insert:

requiring the department to work with the Office of Economic and Demographic Research to provide a description of specified methodology and requiring the department to publish such description on its website; providing procedures and

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 279009)

Amendment 4—Remove lines 1238-1240 and insert:

been subjected to criminal or civil fines and penalties. This

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 358195)

Amendment 5 (with title amendment)—Remove lines 1575-1664 and insert:

~~(1)~~ In addition to the annual report required under s. 288.906, Enterprise Florida, Inc., by December 30 of each year, shall provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a detailed incentives report quantifying the economic benefits for all of the economic development incentive programs marketed by Enterprise Florida, Inc.

(1)~~(a)~~ The annual incentives report must include for each incentive program:

(a)~~1.~~ A brief description of the incentive program.

(b)~~2.~~ The amount of awards granted, by year, since inception.

(c)~~3.~~ The economic benefits, as defined in s. 288.005, based on the actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years.

(d)~~4.~~ The report shall also include the actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years for each target industry sector.

(2)~~(b)~~ For projects completed during the previous state fiscal year, the report must include:

(a)~~1.~~ The number of economic development incentive applications received.

(b)~~2.~~ The number of recommendations made to the department by Enterprise Florida, Inc., including the number recommended for approval and the number recommended for denial.

(c)~~3.~~ The number of final decisions issued by the department for approval and for denial.

(d)~~4.~~ The projects for which a tax refund, tax credit, or cash grant agreement was executed, identifying:

1.~~a.~~ The number of jobs committed to be created.

2.~~b.~~ The amount of capital investments committed to be made.

3.~~c.~~ The annual average wage committed to be paid.

4.~~d.~~ The amount of state economic development incentives committed to the project from each incentive program under the project's terms of agreement with the Department of Economic Opportunity.

5.~~e.~~ The amount and type of local matching funds committed to the project.

(3)~~(c)~~ For economic development projects that received tax refunds, tax credits, or cash grants under the terms of an agreement for incentives, the report must identify:

(a)~~1.~~ The number of jobs actually created.

(b)~~2.~~ The amount of capital investments actually made.

(c)~~3.~~ The annual average wage paid.

(4)~~(d)~~ For a project receiving economic development incentives approved by the department and receiving federal or local incentives, the report must include a description of the federal or local incentives, if available.

(5)~~(e)~~ The report must state the number of withdrawn or terminated projects that did not fulfill the terms of their agreements with the department and consequently are not receiving incentives.

(6)~~(f)~~ The report must include an analysis of the economic benefits, as defined in s. 288.005, of tax refunds, tax credits, or other payments made to projects locating or expanding in state enterprise zones, rural communities, brownfield areas, or distressed urban communities.

(7)~~(g)~~ The report must identify the target industry businesses and high-impact businesses.

(8)~~(h)~~ The report must describe the trends relating to business interest in, and usage of, the various incentives, and the number of minority-owned or woman-owned businesses receiving incentives.

(9)~~(i)~~ The report must identify incentive programs not utilized.

~~(2) The Division of Strategic Business Development within the department shall assist Enterprise Florida, Inc., in the preparation of the annual incentives report.~~

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

Remove lines 217-220 and insert:
F.S., relating to the annual incentives report of Enterprise Florida, Inc; deleting a provision requiring

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 656375)

Amendment 6 (with title amendment)—Remove lines 2258-2275 and insert:

(a) Appeals referees.—

1. The Department of Economic Opportunity shall appoint one or more impartial salaried appeals referees in accordance with s. 443.171(3) to hear and decide appealed claims.

2. An appeals referee must be an attorney in good standing with The Florida Bar or be successfully admitted to The Florida Bar within 8 months after her or his date of appointment. This subparagraph does not apply to an appeals referee appointed before January 1, 2014.

3. A person may not participate on behalf of the department as an appeals referee in any case in which she or he is an interested party.

4. The department may designate alternates to serve in the absence or disqualification of any appeals referee on a temporary basis. These alternates must have the same qualifications required of appeals referees.

5. The department shall provide the commission and the appeals referees with proper facilities and assistance for the execution of their functions.

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

Remove lines 295-297 and insert:
after appointment; amending s.

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 412425)

Amendment 7—Remove lines 2398-2403 and insert:

Section 49. (1) The amendments made by this act to s. 212.08, Florida Statutes, do not apply to any housing project or mixed-use project where site development or construction work was initiated before the effective date of this act.

(2) The amendments made by this act to s. 288.107, Florida Statutes, do not apply to any party seeking a brownfield redevelopment bonus refund where, before the effective date of this act, a resolution endorsing the refund was approved by the local government; any such party seeking the refund filed a notice of intent to seek a refund or filed an application for the refund with the Department of Economic Opportunity or Enterprise Florida, Inc.; or any such party seeking the refund executed an actual tax refund agreement with the Department of Economic Opportunity.

Rep. Trujillo moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 909—A bill to be entitled An act relating to property insurance; amending s. 626.854, F.S.; revising the restrictions on public adjuster compensation, payment, commission, fee, or any other thing of value; providing penalties; deleting a provision requiring the public adjuster to ensure prompt notice of property loss claims; requiring a public adjuster to ensure that prompt notice is given of a claim to the insurer; requiring a public adjuster to meet or communicate with the insurer for a specified purpose; prohibiting a public adjuster from acquiring any interest in salvaged property; providing an exception; amending s. 627.351, F.S.; deleting a provision that limits the amount that a public adjuster may charge, agree to, or accept as compensation with respect to a claim filed under a policy of the Citizens Property Insurance Corporation; requiring the corporation to prepare a report

for each calendar year relating to the loss ratio attributable to losses that are not catastrophic losses for residential coverage provided by the corporation; amending s. 627.422, F.S.; authorizing a property insurance policy to prohibit the post-loss assignment of rights, benefits, causes of action, or choses in action, except for a specified purpose; voiding the assignment if certain post-loss assignments are made under a policy that prohibits such acts; amending s. 627.706, F.S.; requiring insurers to offer sinkhole loss coverage with specified coverage limits; requiring discounts for the coverage limits; requiring insurers to offer sinkhole loss deductibles in specified percentages of policy dwelling limits; amending s. 627.707, F.S.; revising provisions relating to the payment of lienholders and other persons for stabilization and repair; amending s. 627.7074, F.S.; deleting a provision that allows a policyholder to obtain attorney fees under certain circumstances; providing an effective date.

—was read the second time by title.

Representative Holder offered the following:

(Amendment Bar Code: 764133)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Effective June 1, 2013, paragraph (n) of subsection (2), paragraph (b) of subsection (4), paragraphs (b) and (d) of subsection (6), and present subsection (16) of section 215.555, Florida Statutes, are amended, and subsections (17) and (18) of that section are renumbered as subsections (16) and (17), respectively, to read:

215.555 Florida Hurricane Catastrophe Fund.—

(2) DEFINITIONS.—As used in this section:

(n) "Corporation" means the State Board of Administration ~~Florida Hurricane Catastrophe Fund~~ Finance Corporation created in paragraph (6)(d).

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

~~4. Notwithstanding any other provision contained in this section, the board shall make available to insurers that purchased coverage provided by this subparagraph in 2008, insurers qualifying as limited apportionment companies under s. 627.351(6)(c), and insurers that have been approved to participate in the Insurance Capital Build-Up Incentive Program pursuant to s. 215.5595 a contract or contract addendum that provides an additional amount of reimbursement coverage of up to $10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of December 31, 2008, for the 2009-2010 contract year; as of December 31, 2009, for the 2010-2011 contract year; and as of December 31, 2010, for the 2011-2012 contract year. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subparagraph shall be in addition to the claims-paying capacity as defined in subparagraph (e)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subparagraph. The claims-paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims-paying capacity otherwise defined in subparagraph (e)1. and as provided for under the terms of the reimbursement contract. The optional coverage retention as specified shall be accessed before the mandatory coverage under the reimbursement contract, but once the limit of coverage selected under this option is exhausted, the insurer's retention under the mandatory coverage will apply. This coverage will apply and be paid concurrently with mandatory coverage. This subparagraph expires on May 31, 2012.~~

(6) REVENUE BONDS.—

(b) Emergency assessments—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage shall apply to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph shall continue as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the payment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring

coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless and until the Office of Insurance Regulation and the Florida Surplus Lines Service Office have received from the corporation and the fund a notice, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. When an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. When a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium prior to remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2016 ~~2013~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2016 ~~2013~~.

(d) State Board of Administration ~~Florida Hurricane Catastrophe Fund~~ Finance Corporation.—

1. In addition to the findings and declarations in subsection (1), the Legislature also finds and declares that:

a. The public benefits corporation created under this paragraph will provide a mechanism necessary for the cost-effective and efficient issuance of bonds. This mechanism will eliminate unnecessary costs in the bond issuance process, thereby increasing the amounts available to pay reimbursement for losses to property sustained as a result of hurricane damage.

b. The purpose of such bonds is to fund reimbursements through the Florida Hurricane Catastrophe Fund to pay for the costs of construction, reconstruction, repair, restoration, and other costs associated with damage to properties of policyholders of covered policies due to the occurrence of a hurricane.

c. The efficacy of the financing mechanism will be enhanced by the corporation's ownership of the assessments, by the insulation of the assessments from possible bankruptcy proceedings, and by covenants of the state with the corporation's bondholders.

2.a. There is created a public benefits corporation, which is an instrumentality of the state, to be known as the State Board of Administration ~~Florida Hurricane Catastrophe Fund~~ Finance Corporation.

b. The corporation shall operate under a five-member board of directors consisting of the Governor or a designee, the Chief Financial Officer or a designee, the Attorney General or a designee, the director of the Division of Bond Finance of the State Board of Administration, and the Chief Operating Officer ~~senior employee of the State Board of Administration responsible for operations~~ of the Florida Hurricane Catastrophe Fund.

c. The corporation has all of the powers of corporations under chapter 607 and under chapter 617, subject only to the provisions of this subsection.

d. The corporation may issue bonds and engage in such other financial transactions as are necessary to provide sufficient funds to achieve the purposes of this section.

e. The corporation may invest in any of the investments authorized under s. 215.47.

f. There shall be no liability on the part of, and no cause of action shall arise against, any board members or employees of the corporation for any actions taken by them in the performance of their duties under this paragraph.

3.a. In actions under chapter 75 to validate any bonds issued by the corporation, the notice required by s. 75.06 shall be published in two newspapers of general circulation in the state, and the complaint and order of the court shall be served only on the State Attorney of the Second Judicial Circuit.

b. The state hereby covenants with holders of bonds of the corporation that the state will not repeal or abrogate the power of the board to direct the Office of Insurance Regulation to levy the assessments and to collect the proceeds of the revenues pledged to the payment of such bonds as long as any such bonds remain outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of such bonds.

4. The bonds of the corporation are not a debt of the state or of any political subdivision, and neither the state nor any political subdivision is liable on such bonds. The corporation does not have the power to pledge the credit, the revenues, or the taxing power of the state or of any political subdivision. The credit, revenues, or taxing power of the state or of any political subdivision shall not be deemed to be pledged to the payment of any bonds of the corporation.

5.a. The property, revenues, and other assets of the corporation; the transactions and operations of the corporation and the income from such transactions and operations; and all bonds issued under this paragraph and interest on such bonds are exempt from taxation by the state and any political subdivision, including the intangibles tax under chapter 199 and the income tax under chapter 220. This exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the State Board of Administration ~~Florida Hurricane Catastrophe Fund~~ Finance Corporation.

b. All bonds of the corporation shall be and constitute legal investments without limitation for all public bodies of this state; for all banks, trust companies, savings banks, savings associations, savings and loan associations, and investment companies; for all administrators, executors, trustees, and other fiduciaries; for all insurance companies and associations and other persons carrying on an insurance business; and for all other persons who are now or may hereafter be authorized to invest in bonds or other obligations of the state and shall be and constitute eligible securities to be deposited as collateral for the security of any state, county, municipal, or other public funds. This sub-subparagraph shall be considered as additional and supplemental authority and shall not be limited without specific reference to this sub-subparagraph.

6. The corporation and its corporate existence shall continue until terminated by law; however, no such law shall take effect as long as the corporation has bonds outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of such bonds. Upon termination of the existence of the corporation, all of its rights and properties in excess of its obligations shall pass to and be vested in the state.

7. The State Board of Administration Finance Corporation is for all purposes the successor to the Florida Hurricane Catastrophe Fund Finance Corporation.

~~(16) TEMPORARY EMERGENCY OPTIONS FOR ADDITIONAL COVERAGE.—~~

~~(a) Findings and intent.—~~

~~1. The Legislature finds that:~~

~~a. Because of temporary disruptions in the market for catastrophic reinsurance, many property insurers were unable to procure reinsurance for the 2006 hurricane season with an attachment point below the insurers' respective Florida Hurricane Catastrophe Fund attachment points, were unable to procure sufficient amounts of such reinsurance, or were able to procure such reinsurance only by incurring substantially higher costs than in prior years.~~

~~b. The reinsurance market problems were responsible, at least in part, for substantial premium increases to many consumers and increases in the number of policies issued by the Citizens Property Insurance Corporation.~~

~~c. It is likely that the reinsurance market disruptions will not significantly abate prior to the 2007 hurricane season.~~

~~2. It is the intent of the Legislature to create a temporary emergency program, applicable to the 2007, 2008, and 2009 hurricane seasons, to address these market disruptions and enable insurers, at their option, to procure additional coverage from the Florida Hurricane Catastrophe Fund.~~

~~(b) Applicability of other provisions of this section. — All provisions of this section and the rules adopted under this section apply to the program created by this subsection unless specifically superseded by this subsection.~~

~~(c) Optional coverage. — For the contract year commencing June 1, 2007, and ending May 31, 2008, the contract year commencing June 1, 2008, and ending May 31, 2009, and the contract year commencing June 1, 2009, and ending May 31, 2010, the board shall offer for each of such years the optional coverage as provided in this subsection.~~

~~(d) Additional definitions. — As used in this subsection, the term:~~

~~1. "TEACO options" means the temporary emergency additional coverage options created under this subsection.~~

~~2. "TEACO insurer" means an insurer that has opted to obtain coverage under the TEACO options in addition to the coverage provided to the insurer under its reimbursement contract.~~

~~3. "TEACO reimbursement premium" means the premium charged by the fund for coverage provided under the TEACO options.~~

~~4. "TEACO retention" means the amount of losses below which a TEACO insurer is not entitled to reimbursement from the fund under the TEACO option selected. A TEACO insurer's retention options shall be calculated as follows:~~

~~a. The board shall calculate and report to each TEACO insurer the TEACO retention multiples. There shall be three TEACO retention multiples for defining coverage. Each multiple shall be calculated by dividing $3 billion, $4 billion, or $5 billion by the total estimated mandatory FHCF reimbursement premium assuming all insurers selected the 90-percent coverage level.~~

~~b. The TEACO retention multiples as determined under sub-subparagraph a. shall be adjusted to reflect the coverage level elected by the insurer. For insurers electing the 90-percent coverage level, the adjusted retention multiple is 100 percent of the amount determined under sub-subparagraph a. For insurers electing the 75-percent coverage level, the retention multiple is 120 percent of the amount determined under sub-subparagraph a. For insurers electing the 45-percent coverage level, the adjusted retention multiple is 200 percent of the amount determined under sub-subparagraph a.~~

~~c. An insurer shall determine its provisional TEACO retention by multiplying its estimated mandatory FHCF reimbursement premium by the applicable adjusted TEACO retention multiple and shall determine its actual TEACO retention by multiplying its actual mandatory FHCF reimbursement premium by the applicable adjusted TEACO retention multiple.~~

~~d. For TEACO insurers who experience multiple covered events causing loss during the contract year, the insurer's full TEACO retention shall be applied to each of the covered events causing the two largest losses for that insurer. For other covered events resulting in losses, the TEACO option does not apply and the insurer's retention shall be one-third of the full retention as calculated under paragraph (2)(e).~~

~~5. "TEACO addendum" means an addendum to the reimbursement contract reflecting the obligations of the fund and TEACO insurers under the program created by this subsection.~~

~~6. "FHCF" means the Florida Hurricane Catastrophe Fund.~~

~~(e) TEACO addendum. —~~

~~1. The TEACO addendum shall provide for reimbursement of TEACO insurers for covered events occurring during the contract year, in exchange for the TEACO reimbursement premium paid into the fund under paragraph (f). Any insurer writing covered policies has the option of choosing to accept the TEACO addendum for any of the 3 contract years that the coverage is offered.~~

~~2. The TEACO addendum shall contain a promise by the board to reimburse the TEACO insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's TEACO retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses. The percentage shall be the same as the coverage level selected by the insurer under paragraph (4)(b).~~

~~3. The TEACO addendum shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.~~

~~4. The TEACO addendum shall also provide that the obligation of the board with respect to all TEACO addenda shall not exceed an amount equal to two times the difference between the industry retention level calculated under paragraph (2)(e) and the $3 billion, $4 billion, or $5 billion industry TEACO retention level options actually selected, but in no event may the board's obligation exceed the actual claims-paying capacity of the fund plus the additional capacity created in paragraph (g). If the actual claims-paying capacity and the additional capacity created under paragraph (g) fall short of the board's obligations under the reimbursement contract, each insurer's share of the fund's capacity shall be prorated based on the premium an insurer pays for its mandatory reimbursement coverage and the premium paid for its optional TEACO coverage as each such premium bears to the total premiums paid to the fund times the available capacity.~~

~~5. The priorities, schedule, and method of reimbursements under the TEACO addendum shall be the same as provided under subsection (4).~~

~~6. A TEACO insurer's maximum reimbursement for a single event shall be equal to the product of multiplying its mandatory FHCF premium by the difference between its FHCF retention multiple and its TEACO retention multiple under the TEACO option selected and by the coverage selected under paragraph (4)(b), plus an additional 5 percent for loss adjustment expenses. A TEACO insurer's maximum reimbursement under the TEACO option selected for a TEACO insurer's two largest events shall be twice its maximum reimbursement for a single event.~~

~~(f) TEACO reimbursement premiums. —~~

~~1. Each TEACO insurer shall pay to the fund, in the manner and at the time provided in the reimbursement contract for payment of reimbursement premiums, a TEACO reimbursement premium calculated as specified in this paragraph.~~

~~2. The insurer's TEACO reimbursement premium associated with the $3 billion retention option shall be equal to 85 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (e)6. The TEACO reimbursement premium associated with the $4 billion retention option shall be equal to 80 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (e)6. The TEACO premium associated with the $5 billion retention option shall be equal to 75 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (e)6.~~

~~(g) Effect on claims-paying capacity of the fund. — For the contract term commencing June 1, 2007, the contract year commencing June 1, 2008, and the contract term beginning June 1, 2009, the program created by this subsection shall increase the claims-paying capacity of the fund as provided in subparagraph (4)(e)1. by an amount equal to two times the difference between the industry retention level calculated under paragraph (2)(e) and the $3 billion industry TEACO retention level specified in sub-subparagraph (d)4.a. The additional capacity shall apply only to the additional coverage provided by the TEACO option and shall not otherwise affect any insurer's reimbursement from the fund.~~

Section 2. Subsection (4) of section 626.752, Florida Statutes, is amended to read:

626.752 Exchange of business.—

(4) The foregoing limitations and restrictions shall not be construed and shall not apply to the placing of surplus lines business under the provisions of

part VIII or to the activities of Citizens Property Insurance Corporation in placing new and renewal business with authorized insurers in accordance with s. 627.3518.

Section 3. Present subsections (11), (15), and (17) of section 626.854, Florida Statutes, are amended, and a new subsection (17) is added to that section to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(11)(a) If a public adjuster enters into a contract with an insured or claimant to reopen a claim or file a supplemental claim that seeks additional payments for a claim that has been previously paid in part or in full or settled by the insurer, the public adjuster may not charge, agree to, or accept from any source ~~any~~ compensation, payment, commission, fee, or any other thing of value based on a previous settlement or previous claim payments by the insurer for the same cause of loss. The charge, compensation, payment, commission, fee, or any other thing of value must be based only on the claim payments or settlement obtained through the work of the public adjuster after entering into the contract with the insured or claimant. Compensation for the reopened or supplemental claim may not exceed 20 percent of the reopened or supplemental claim payment. In no event shall the contracts described in this paragraph exceed ~~are not subject to~~ the limitations in paragraph (b).

(b) A public adjuster may not charge, agree to, or accept from any source ~~any~~ compensation, payment, commission, fee, or any other thing of value in excess of:

1. Ten percent of the amount of insurance claim payments made by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor. This provision applies to claims made during the year after the declaration of emergency. After that year, the limitations in subparagraph 2. apply.

2. Twenty percent of the amount of insurance claim payments made by the insurer for claims that are not based on events that are the subject of a declaration of a state of emergency by the Governor.

(c) Any maneuver, shift, or device through which the limits on compensation set forth in this subsection are exceeded is a violation of this chapter punishable as provided under s. 626.8698.

(15) ~~A public adjuster must ensure prompt notice of property loss claims submitted to an insurer by or through a public adjuster or on which a public adjuster represents the insured at the time the claim or notice of loss is submitted to the insurer.~~ The public adjuster must ensure that prompt notice is given of the claim to the insurer, the public adjuster's contract is provided to the insurer, the property is available for inspection of the loss or damage by the insurer, and the insurer is given an opportunity to interview the insured directly about the loss and claim. The insurer must be allowed to obtain necessary information to investigate and respond to the claim.

(a) The insurer may not exclude the public adjuster from its in-person meetings with the insured. The insurer shall meet or communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy. The public adjuster shall meet or communicate with the insurer in an effort to reach agreement as to the scope of the covered loss under the insurance policy. This section does not impair the terms and conditions of the insurance policy in effect at the time the claim is filed.

(b) A public adjuster may not restrict or prevent an insurer, company employee adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to any ~~an~~ insured or claimant or to the insured property that is the subject of a claim.

(c) A public adjuster may not act or fail to reasonably act in any manner that obstructs or prevents an insurer or insurer's adjuster from timely conducting an inspection of any part of the insured property for which there is a claim for loss or damage. The public adjuster representing the insureds ~~insured~~ may be present for the insurer's inspection, but if the unavailability of the public adjuster otherwise delays the insurer's timely inspection of the property, the public adjuster or the insureds ~~insured~~ must allow the insurer to have access to the property without the participation or presence of the public adjuster or insureds ~~insured~~ in order to facilitate the insurer's prompt inspection of the loss or damage.

(17) A public adjuster shall not acquire any interest in salvaged property, except with the written consent and permission of the insured through a signed affidavit.

(18)~~(17)~~ The provisions of subsections (5)-(17) ~~(5)-(16)~~ apply only to residential property insurance policies and condominium unit owner policies as defined in s. 718.111(11).

Section 4. The Legislature intends to enhance the expertise immediately available to the commission by increasing the membership of the Florida Commission on Hurricane Loss Projection Methodology to provide for the appointment of an additional member with special qualifications or attributes.

Section 5. Subsection (2) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

(2) COMMISSION CREATED.—

(a) There is created the Florida Commission on Hurricane Loss Projection Methodology, which is assigned to the State Board of Administration. For the purposes of this section, the term "commission" means the Florida Commission on Hurricane Loss Projection Methodology. The commission shall be administratively housed within the State Board of Administration, but it shall independently exercise the powers and duties specified in this section.

(b) The commission shall consist of the following 12 ~~11~~ members:

1. The insurance consumer advocate.

2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund.

3. The Executive Director of the Citizens Property Insurance Corporation.

4. The Director of the Division of Emergency Management.

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council.

6. An employee of the office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the office.

7. Five members appointed by the Chief Financial Officer, as follows:

a. An actuary who is employed full time by a property and casualty insurer that was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the commission.

b. An expert in insurance finance who is a full-time member of the faculty of the State University System and who has a background in actuarial science.

c. An expert in statistics who is a full-time member of the faculty of the State University System and who has a background in insurance.

d. An expert in computer system design who is a full-time member of the faculty of the State University System.

e. An expert in meteorology who is a full-time member of the faculty of the State University System and who specializes in hurricanes.

8. A licensed professional structural engineer who is a full-time faculty member in the State University System and who has expertise in wind mitigation techniques. This appointment shall be made by the Governor.

(c) Members designated under subparagraphs (b)1.-5. shall serve on the commission as long as they maintain the respective offices designated in subparagraphs (b)1.-5. The member appointed by the director of the office under subparagraph (b)6. shall serve on the commission until the end of the term of office of the director who appointed him or her, unless removed earlier by the director for cause. Members appointed by the Chief Financial Officer under subparagraph (b)7. shall serve on the commission until the end of the term of office of the Chief Financial Officer who appointed them, unless earlier removed by the Chief Financial Officer for cause. Vacancies on the commission shall be filled in the same manner as the original appointment.

(d) The State Board of Administration shall annually appoint one of the members of the commission to serve as chair.

(e) Members of the commission shall serve without compensation, but shall be reimbursed for per diem and travel expenses pursuant to s. 112.061.

(f) The State Board of Administration shall, as a cost of administration of the Florida Hurricane Catastrophe Fund, provide for travel, expenses, and staff support for the commission.

(g) There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member of the commission, any member of the

State Board of Administration, or any employee of the State Board of Administration for any action taken in the performance of their duties under this section. In addition, the commission may, in writing, waive any potential cause of action for negligence of a consultant, contractor, or contract employee engaged to assist the commission.

Section 6. Subsection (5) of section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(5) In order to provide an appropriate transition period, an insurer may implement an approved rate filing for residential property insurance over a period of years. Such insurer must provide an informational notice to the office setting out its schedule for implementation of the phased-in rate filing. The insurer may include in its rate the actual cost of private market reinsurance that corresponds to available coverage of the Temporary Increase in Coverage Limits, TICL, from the Florida Hurricane Catastrophe Fund. The insurer may also include the cost of reinsurance to replace the TICL reduction implemented pursuant to s. 215.555(16)(d)9. ~~215.555(17)(d)9.~~ However, this cost for reinsurance may not include any expense or profit load or result in a total annual base rate increase in excess of 10 percent.

Section 7. Paragraphs (a), (c), (i), (k), and (q) of subsection (6) of section 627.351, Florida Statutes, are amended, and paragraphs (gg) and (hh) are added to that subsection, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) The public purpose of this subsection is to ensure that there is an orderly market for property insurance for residents and businesses of this state.

1. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, therefore, that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state, and that is not a private insurance company. To that end, the corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are entitled, but, in good faith, are unable to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies; and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. With respect to coverage for personal lines residential structures:

a. Effective January 1, 2014 ~~2009~~, a ~~personal lines residential~~ structure that has a dwelling replacement cost of $1 ~~$2~~ million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $1 ~~$2~~ million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2013 ~~2008~~, may continue to be covered by the corporation until the end of the policy term. ~~However, such dwellings may reapply and obtain coverage if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage.~~ The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation before ~~prior to~~ being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

b. Effective January 1, 2015, a structure that has a dwelling replacement cost of $900,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $900,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2014, may continue to be covered by the corporation only until the end of the policy term.

c. Effective January 1, 2016, a structure that has a dwelling replacement cost of $800,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $800,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2015, may continue to be covered by the corporation until the end of the policy term.

d. Effective January 1, 2017, a structure that has a dwelling replacement cost of $700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $700,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2016, may continue to be covered by the corporation until the end of the policy term.

e. Effective January 1, 2018, a structure that has a dwelling replacement cost of $600,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $600,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2017, may continue to be covered by the corporation until the end of the policy term.

f. Effective January 1, 2019, a structure that has a dwelling replacement cost of $500,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $500,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2018, may continue to be covered by the corporation until the end of the policy term.

The requirements of sub-subparagraphs b.-f. do not apply in counties where the office determines there is not a reasonable degree of competition. In such counties a personal lines residential structure that has a dwelling replacement cost of less than $1 million, or a single condominium unit that has a combined dwelling and contents replacement cost of less than $1 million, is eligible for coverage by the corporation.

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to

responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5.a. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure is ~~shall be~~ deemed to comply with this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.

b. Any major structure as defined in s. 161.54(6)(a) for which a permit is applied on or after July 1, 2014, for new construction or substantial improvement as defined in s. 161.54(12) is not eligible for coverage by the corporation if the structure is seaward of the coastal construction control line established pursuant to s. 161.053 or is within the Coastal Barrier Resources System as designated by 16 U.S.C. ss. 3501-3510.

~~6. For any claim filed under any policy of the corporation, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value greater than 10 percent of the additional amount actually paid over the amount that was originally offered by the corporation for any one claim.~~

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. Effective January 1, 2013, the corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.

a. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.

3.a. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet

the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

b. To ensure that the corporation is operating in an efficient and economic manner while providing quality service to policyholders, applicants, and agents, the board shall commission an independent third-party consultant having expertise in insurance company management or insurance company management consulting to prepare a report and make recommendations on the relative costs and benefits of outsourcing various policy issuance and service functions to private servicing carriers or entities performing similar functions in the private market for a fee, rather than performing such functions in-house. In making such recommendations, the consultant shall consider how other residual markets, both in this state and around the country, outsource appropriate functions or use servicing carriers to better match expenses with revenues that fluctuate based on a widely varying policy count. The report must be completed by July 1, 2012. Upon receiving the report, the board shall develop a plan to implement the report and submit the plan for review, modification, and approval to the Financial Services Commission. Upon the commission's approval of the plan, the board shall begin implementing the plan by January 1, 2013.

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of nine ~~eight~~ individuals who are residents of this state and who are~~,~~ from different geographical areas of the ~~this~~ state, one of whom is appointed by the Governor and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Governor is in addition to the appointments authorized under sub-subparagraph a.

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and is deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a personal lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. However, ~~a policyholder of the corporation or~~ a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period ~~remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer~~. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or

the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. However, ~~a policyholder of the corporation or~~ a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period ~~remains eligible for coverage from the corporation regardless of an offer of coverage from an authorized insurer or surplus lines insurer~~.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

c. For purposes of determining comparable coverage under sub-subparagraphs a. and b., the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the coastal account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus must be available to defray deficits in that account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures to be uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

10. The policies issued by the corporation must provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. Must provide that, with respect to the coastal account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds, but a limited apportionment company must begin

collecting the regular assessments not later than 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d. may not be limited or deferred.

14. Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s. 626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

15. Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. Must limit coverage on mobile homes or manufactured homes built before 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

17. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

19. Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

20. As of January 1, 2012, must require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

ACKNOWLEDGMENT OF POTENTIAL SURCHARGE
AND ASSESSMENT LIABILITY:

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.

3.~~2.~~ I ~~ALSO~~ UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

4.~~3.~~ I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

a. The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of the first renewal after the effective date of this subparagraph.

b. The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

(i)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by an ~~any~~ employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. Cooperate and coordinate activities with the corporation's inspector general ~~Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law~~.

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(k)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the corporation's Office of the Inspector General ~~Internal Auditor~~ and the Division of Insurance Fraud within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

(q)1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems to be necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessments due from each assessable insurer, including, if prudent, filing suit to collect the assessments, and the office may provide such assistance to the corporation it deems appropriate. If the corporation is unable to collect an assessment from any assessable insurer,

the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying assessable insurer. Assessments shall be included as an appropriate factor in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is considered to be a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.

2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 from time to time to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the corporation, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into such contracts with the corporation and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this subparagraph shall be payable from and secured by moneys received by the corporation from emergency assessments under sub-subparagraph (b)3.d., and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds.

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings in the corporation. Beginning January 1, 2008, any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation shall comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed. The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments under sub-subparagraph (b)3.a. However, any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured. When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

b. Any credit or exemption from regular assessments adopted under this subparagraph shall last no longer than the 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

c. There shall be no credit, limitation, exemption, or deferment from emergency assessments to be collected from policyholders pursuant to sub-subparagraph (b)3.d.

4. The plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.d., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).

5. Effective July 1, 2007, in order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

6. Any policy taken out, assumed, or removed from the corporation is, as of the effective date of the take-out, assumption, or removal, direct insurance issued by the insurer and not by the corporation, even if the corporation continues to service the policies. This subparagraph applies to policies of the corporation and not policies taken out, assumed, or removed from any other entity.

7. For a policy taken out, assumed, or removed from the corporation, the insurer may, for a period of no more than 3 years, continue to use any of the corporation's policy forms or endorsements that apply to the policy taken out, removed, or assumed without obtaining approval from the office for use of such policy form or endorsement.

(gg) The Office of Inspector General is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency. The office shall be headed by an inspector general, which is a senior management position that involves planning, coordinating, and performing activities assigned to and assumed by the inspector general for the corporation.

1. The inspector general shall be appointed by the Financial Services Commission and may only be removed from office by the commission. The inspector general shall be appointed without regard to political affiliation.

a. At a minimum, the inspector general must possess a bachelor's degree from an accredited college or university and 8 years of professional experience related to the duties of an inspector general as described in this paragraph, of which 5 years must have been at a supervisory level.

b. The inspector general shall report to, and be under the supervision of, the chair of the board of governors. The executive director or corporation staff may not prevent or prohibit the inspector general from initiating, carrying out, or completing any audit, review, evaluation, study, or investigation.

2. The inspector general shall initiate, direct, coordinate, participate in, and perform audits, reviews, evaluations, studies, and investigations designed to assess management practices; compliance with laws, rules, and policies; and program effectiveness and efficiency. This includes:

a. Conducting internal examinations; investigating allegations of fraud, waste, abuse, malfeasance, mismanagement, employee misconduct, or violations of corporation policies; and conducting any other investigations as directed by the Financial Services Commission or as independently determined.

b. Evaluating and recommending actions regarding security, the ethical behavior of personnel and vendors, and compliance with rules, laws, policies, and personnel matters; and rendering ethics opinions.

c. Evaluating personnel and administrative policy compliance, management and operational matters, and human resources-related matters.

d. Evaluating the application of a corporation code of ethics, providing reviews and recommendations on the design and content of ethics-related policy training courses, educating employees on the code and on appropriate conduct, and checking for compliance.

e. Evaluating the activities of the senior management team and management's compliance with recommended solutions.

f. Cooperating and coordinating activities with the chief of internal audit.

g. Maintaining records of investigations and discipline in accordance with established policies, or as otherwise required.

h. Supervising and directing the tasks and assignments of the staff assigned to assist with the inspector general's projects, including regular review and feedback regarding work in progress and providing recommendations regarding relevant training and staff development activities.

i. Directing, planning, preparing, and presenting interim and final reports and oral briefings which communicate the results of studies, reviews, and investigations.

j. Providing the executive director with independent and objective assessments of programs and activities.

k. Completing special projects, assignments, and other duties as requested by the Financial Services Commission.

l. Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

(hh) The corporation must prepare a report for each calendar year outlining both the statewide average and county-specific details of the loss ratio attributable to losses that are not catastrophic losses for residential coverage provided by the corporation, which information must be presented to the office and available for public inspection on the Internet website of the corporation by January 15th of the following calendar year.

Section 8. Effective October 1, 2013, paragraphs (e) and (t) of subsection (6) of section 627.351, Florida Statutes, are amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(e) The corporation is subject to s. 287.057 for the purchase of commodities and contractual services except as otherwise provided in this paragraph. Services provided by tradepersons or technical experts to assist a licensed adjuster in the evaluation of individual claims are not subject to the procurement requirements of this section. Additionally, the procurement of financial services providers and underwriters must be made pursuant to s. 627.3513 ~~Purchases that equal or exceed $2,500, but are less than $25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, whenever practical~~. ~~The procurement of goods or services valued at or over $25,000 shall be subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(3)(f); or the procurement of services is subject to s. 627.3513. Justification for the sole-sourcing or emergency procurement must be documented.~~ Contracts for goods or services valued at or more than ~~over~~ $100,000 are subject to approval by the board.

1. The corporation is an agency for purposes of s. 287.057, except that, for purposes of s. 287.057(22), the corporation is an eligible user.

a. The authority of the Department of Management Services and the Chief Financial Officer under s. 287.057 extends to the corporation as if the corporation were an agency.

b. The executive director of the corporation is the agency head under s. 287.057, except for resolution of bid protests for which the board would serve as the agency head.

2. The corporation must provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. Such notice must contain the following statement: "Failure to file a protest within the time prescribed in this section constitutes a waiver of proceedings."

a. A person adversely affected by the corporation's decision or intended decision to award a contract pursuant to s. 287.057(1) or s. 287.057(3)(c) who elects to challenge the decision must file a written notice of protest with the executive director of the corporation within 72 hours after the corporation posts a notice of its decision or intended decision. For a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest must be filed in writing within 72 hours after the posting of the solicitation. Saturdays, Sundays, and state holidays are excluded in the computation of the 72-hour time period.

b. A formal written protest must be filed within 10 days after the date the notice of protest is filed. The formal written protest must state with particularity the facts and law upon which the protest is based. Upon receipt of a formal written protest that has been timely filed, the corporation must stop the solicitation or contract award process until the subject of the protest is resolved by final board action unless the executive director sets forth in writing particular facts and circumstances that require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare. The corporation must provide an opportunity to resolve the protest by mutual agreement between the parties within 7 business days after receipt of the formal written protest. If the subject of a protest is not resolved by mutual agreement within 7 business days, the corporation's board must place the protest on the agenda and resolve it at its next regularly scheduled meeting. The protest must be heard by the board at a publicly noticed meeting in accordance with procedures established by the board.

c. In a protest of an invitation-to-bid or request-for-proposals procurement, submissions made after the bid or proposal opening which amend or supplement the bid or proposal may not be considered. In protesting an invitation-to-negotiate procurement, submissions made after the corporation announces its intent to award a contract, reject all replies, or withdraw the solicitation that amends or supplements the reply may not be considered. Unless otherwise provided by law, the burden of proof rests with the party protesting the corporation's action. In a competitive-procurement protest, other than a rejection of all bids, proposals, or replies, the corporation's board must conduct a de novo proceeding to determine whether the corporation's proposed action is contrary to the corporation's governing statutes, the corporation's rules or policies, or the solicitation specifications. The standard of proof for the proceeding is whether the corporation's action was clearly erroneous, contrary to competition, arbitrary, or capricious. In any bid-protest proceeding contesting an intended corporation action to reject all bids, proposals, or replies, the standard of review by the board is whether the corporation's intended action is illegal, arbitrary, dishonest, or fraudulent.

d. Failure to file a notice of protest or failure to file a formal written protest constitutes a waiver of proceedings.

3. Contract actions and decisions by the board under this paragraph are final. Any further legal remedy must be made in the Circuit Court of Leon County.

(t) For the purposes of s. 199.183(1), the corporation shall be considered a political subdivision of the state and shall be exempt from the corporate income tax. The premiums, assessments, investment income, and other revenue of the corporation are funds received for providing property insurance coverage as required by this subsection, paying claims for Florida citizens insured by the corporation, securing and repaying debt obligations issued by the corporation, and conducting all other activities of the corporation, and shall not be considered taxes, fees, licenses, or charges for services imposed by the Legislature on individuals, businesses, or agencies outside state government. Bonds and other debt obligations issued by or on behalf of the corporation are not to be considered "state bonds" within the meaning of s. 215.58(8). The corporation is ~~not~~ subject to the procurement provisions of chapter 287 as provided in paragraph (e), and policies and decisions of the corporation relating to incurring debt, levying of assessments and the sale, issuance, continuation, terms and claims under corporation policies, and all services relating thereto, are not subject to the provisions of chapter 120. The corporation is not required to obtain or to hold a certificate of authority issued by the office, nor is it required to participate as a member insurer of the Florida Insurance Guaranty Association. However, the corporation is required to pay, in the same manner as an authorized insurer, assessments levied by the Florida Insurance Guaranty Association. It is the intent of the Legislature that the tax exemptions provided in this paragraph

will augment the financial resources of the corporation to better enable the corporation to fulfill its public purposes. Any debt obligations issued by the corporation, their transfer, and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state and any political subdivision or local unit or other instrumentality thereof; however, this exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the corporation.

Section 9. The purchase of commodities and contractual services by Citizens Property Insurance Corporation commenced before October 1, 2013, is governed by the law in effect on September 30, 2013.

Section 10. Section 627.3518, Florida Statutes, is created to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.—The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.

(1) As used in this section, the term:

(a) "Corporation" means Citizens Property Insurance Corporation.

(b) "Exclusive agent" means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

(c) "Independent agent" means any licensed insurance agent not described in paragraph (b).

(d) "Program" means the clearinghouse created under this section.

(2) In order to confirm eligibility with the corporation and to enhance access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized and surplus lines insurers, the corporation shall establish a program for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.

(3) The corporation board shall establish the clearinghouse program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent, but may not be required to employ or engage a licensed general lines agent or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation may:

(a) Require all new applications, and all policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.

(b) Employ or otherwise contract with individuals or other entities for appropriate administrative or professional services to effectuate the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.

(c) Enter into contracts with any authorized or surplus lines insurer to participate in the program and accept an appointment by such insurer.

(d) Provide funds to operate the program. Insurers and agents participating in the program are not required to pay a fee to offset or partially offset the cost of the program or use the program for renewal of policies initially written through the clearinghouse.

(e) Develop an enhanced application that includes information to assist private insurers in determining whether to make an offer of coverage through the program.

(f) For personal lines residential risks, require, before approving all new applications for coverage by the corporation, that every application be subject to a period of 2 business days when any insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for a period of at least 30 days but not more than 60 days.

(g) Allow surplus lines insurers to participate and make offers of coverage. An offer of coverage may be made by a surplus lines insurer only if an authorized insurer does not make an offer of coverage through the program. Surplus lines insurers may offer premiums and coverages that are more favorable than those offered in the corporation, and agents are not required to compile three declinations from authorized insurers before binding coverage with an surplus lines insurer.

(4) Any authorized or surplus lines insurer may participate in the program; however, participation is not mandatory for any insurer. Insurers making offers of coverage to new applicants or renewal policyholders through the program:

(a) May not be required to individually appoint any agent whose customer is underwritten and bound through the program. Notwithstanding s. 626.112, insurers are not required to appoint any agent on a policy underwritten through the program for as long as that policy remains with the insurer. Insurers may, at their election, appoint any agent whose customer is initially underwritten and bound through the program. In the event an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph, and thereafter elects to accept a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.

(b) Must enter into a limited agency agreement with each agent that is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the program.

(c) Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the program when that agent has been appointed by the insurer pursuant to s. 626.112.

(d) Must comply with s. 627.4133(2).

(e) May participate through their single-designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations continue to apply.

(f) Must pay to the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.

(5) Notwithstanding s. 627.3517, any applicant for new coverage from the corporation is not eligible for coverage from the corporation, if provided an offer of coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold established in s. 627.351(6)(c)5.a. Whenever an offer of coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. In the event an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold contained in s. 627.351(6)(c)5.a., the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered is more than the corporation's renewal premium for comparable coverage, the insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. Any applicant for new coverage from the corporation, and policyholders of all policies for renewal, if provided an offer of coverage from a surplus lines insurer through the program, are not required to accept such offer, and may be accepted for coverage or renewed by the corporation at the applicant's or policyholder's option. Sub-sub-subparagraph 627.351(6)(c)5.a.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program.

(6) Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c) 5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations,

records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) May accept an appointment from any insurer participating in the program.

(d) May enter into either a standard or limited agency agreement with the insurer, at the insurer's option.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the program.

(7) Exclusive agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and only after the exclusive agent's insurer has approved the limited servicing agreement terms. The exclusive agent's insurer must approve a limited service agreement for the program for any insurer for which it has approved a service agreement for other purposes.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer making an offer of coverage to that applicant.

(8) Submission of an application for coverage by the corporation to the program does not constitute the binding of coverage by the corporation, and failure of the program to obtain an offer of coverage by an insurer may not be considered acceptance of coverage of the risk by the corporation.

(9) The 45-day notice of nonrenewal requirement set forth in s. 627.4133(2)(b)4.b. applies when a policy is nonrenewed by the corporation because the risk has received an offer of coverage pursuant to this section which renders the risk ineligible for coverage by the corporation.

(10) The program may not include commercial nonresidential policies.

Section 11. Section 627.35191, Florida Statutes, is created to read:

627.35191 Annual report of aggregate net probable maximum losses, financing options, and potential assessments.—No later than February 1 of each year, the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation shall each submit a report to the Legislature and the Financial Services Commission identifying their respective aggregate net probable maximum losses, financing options, and potential assessments. The report issued by the fund and the corporation must include their respective 50-year, 100-year, and 250-year probable maximum losses; analysis of all reasonable financing strategies for each such probable maximum loss, including the amount and term of debt instruments; specification of the percentage assessments that would be needed to support each of the financing strategies; and calculations of the aggregate assessment burden on Florida property and casualty policyholders for each of the probable maximum losses.

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to property insurance; amending s. 215.555, F.S., relating to the Florida Hurricane Catastrophe Fund; revising the definition of the term "corporation"; deleting an outdated coverage level; revising the exemption of medical malpractice insurance premiums from emergency assessments if certain revenues are determined to be insufficient to fund the obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation; deleting provisions relating to temporary emergency options for additional coverage; amending s. 626.752, F.S.; exempting Citizens Property Insurance Corporation from exchange of business limitations and restrictions when placing business with authorized insurers; amending s. 626.854, F.S.; revising the restrictions on public adjuster compensation, payment, commission, fee, or any other thing of value; providing penalties; deleting a provision requiring the public adjuster to ensure prompt notice of property loss claims; requiring a public adjuster to ensure that prompt notice is given of a claim to the insurer; requiring a public adjuster to meet or communicate with the insurer for a specified purpose; prohibiting a public adjuster from acquiring any interest in salvaged property; providing an exception; providing legislative intent; amending s. 627.0628, F.S.; revising the membership of the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; providing that certain residential structures are not eligible for coverage by the corporation after specified dates; providing an exception; prohibiting the corporation from covering any new construction of a major structure, or substantial improvements on any major structure, commencing on or after July 1, 2014, that is seaward of the coastal construction control line or is within the Coastal Barrier Resources System; deleting a provision that limits the amount that a public adjuster may charge, agree to, or accept as compensation with respect to a claim filed under a policy of the Citizens Property Insurance Corporation; revising the membership of the board of governors of the corporation; restricting the eligibility of a risk for a renewal policy issued by the corporation under certain circumstances; revising provisions allowing a policyholder removed from the corporation to remain eligible for coverage under certain circumstances; requiring disclosure of potential corporation surcharges and policyholder obligations to try to obtain private market coverage; revising the duties and responsibilities of the internal auditor of the corporation; authorizing insurers taking out, assuming, or removing policies from the corporation to use the corporation's policy forms and endorsements for a specified time without approval by the Office of Insurance Regulation; establishing the Office of Inspector General within the corporation; providing for appointment, qualifications, duties, and responsibilities of the inspector general; requiring the corporation to prepare a report for each calendar year relating to the loss ratio attributable to losses that are not catastrophic losses for residential coverage provided by the corporation; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; creating s. 627.3518, F.S.; providing purpose; providing definitions; requiring the creation of a clearinghouse program within the corporation; specifying the purposes of the program; requiring the corporation to provide a report to the Legislature; specifying certain rights and responsibilities with respect to the program; authorizing the corporation to take specified actions in establishing the program; providing conditions and requirements relating to the participation of insurers in the program; providing conditions, requirements, limitations, and procedures applicable to offers of coverage with respect to applicants for coverage with the corporation and existing policyholders of the corporation; providing requirements for certain independent insurance agents and exclusive agents with respect to submitting

applications for coverage or policies for renewal to the program; providing for applicability and construction; creating s. 627.35191, F.S.; requiring the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation to each submit reports annually to the Legislature and the Financial Services Commission relating to aggregate net probable maximum losses, financing options, and potential assessments; providing effective dates.

Rep. Holder moved the adoption of the amendment.

Representative Hager offered the following:

(Amendment Bar Code: 527167)

Amendment 1 to Amendment 1 (with directory and title amendment)—Between lines 70 and 71 of the amendment, insert:

(c)1. The contract shall also provide that the obligation of the board with respect to all contracts covering a particular contract year shall not exceed the actual claims-paying capacity of the fund up to the limit specified in this subparagraph.

a. For the 2013-2014 contract year, the limit is $17 billion.

b. For the 2014-2015 contract year, the limit is $16.5 billion.

c. For the 2015-2016 contract year, the limit is $15.5 billion.

d. For the 2016-2017 contract year and subsequent contract years, the limit is $14 billion.

e. For contract years after the 2016-2017 contract year, if ~~a limit of $17 billion for that contract year, unless~~ the board determines that there is sufficient estimated claims-paying capacity to provide $14 ~~$17~~ billion of capacity for the current contract year and an additional $14 ~~$17~~ billion of capacity for subsequent contract years~~. If the board makes such a determination~~, the estimated claims-paying capacity for the particular contract year shall be determined by adding to the $14 ~~$17~~ billion limit one-half of the fund's estimated claims-paying capacity in excess of $28 ~~$34~~ billion. However, the dollar growth in the limit may not increase in any year by an amount greater than the dollar growth of the balance of the fund as of December 31~~, less any premiums or interest attributable to optional coverage~~, as defined by rule which occurred over the prior calendar year.

2. In May and October of the contract year, the board shall publish in the Florida Administrative Weekly a statement of the fund's estimated borrowing capacity, the fund's estimated claims-paying capacity, and the projected balance of the fund as of December 31. After the end of each calendar year, the board shall notify insurers of the estimated borrowing capacity, estimated claims-paying capacity, and the balance of the fund as of December 31 to provide insurers with data necessary to assist them in determining their retention and projected payout from the fund for loss reimbursement purposes. In conjunction with the development of the premium formula, as provided for in subsection (5), the board shall publish factors or multiples that assist insurers in determining their retention and projected payout for the next contract year. For all regulatory and reinsurance purposes, an insurer may calculate its projected payout from the fund as its share of the total fund premium for the current contract year multiplied by the sum of the projected balance of the fund as of December 31 and the estimated borrowing capacity for that contract year as reported under this subparagraph.

D I R E C T O R Y A M E N D M E N T

Remove line 6 of the amendment and insert:
subsection (2), paragraphs (b) and (c) of subsection (4), paragraphs (b)

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

Between lines 2008 and 2009 of the amendment, insert:
revising coverage levels available under the reimbursement contract;

THE SPEAKER IN THE CHAIR

Rep. Hager moved the adoption of the amendment to the amendment. Subsequently, **Amendment 1 to Amendment 1** was withdrawn.

Representative Fasano offered the following:

(Amendment Bar Code: 602819)

Amendment 2 to Amendment 1 (with title amendment)—Remove lines 713-810 of the amendment and insert:

3. Effective January 1, 2009, a personal lines residential structure that has a dwelling replacement cost of $2 million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $2 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings may reapply and obtain coverage if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure shall be deemed to comply with this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.

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

Remove lines 2037-2045 of the amendment and insert:
s. 627.351, F.S.; deleting a

Rep. Fasano moved the adoption of the amendment to the amendment.

On motion by Rep. Fasano, consideration of **Amendment 2** to **Amendment 1** was temporarily postponed.

Representatives Diaz, J., Nuñez, Artiles, Bileca, Oliva, Fresen, Gonzalez, Diaz, M., Trujillo, and Raschein offered the following:

(Amendment Bar Code: 190897)

Amendment 3 to Amendment 1—Remove lines 760-773 of the amendment

Rep. J. Diaz moved the adoption of the amendment to the amendment, which was adopted.

Representative Fasano offered the following:

(Amendment Bar Code: 628601)

Amendment 4 to Amendment 1—Remove lines 1338-1351 of the amendment and insert:

2. I ALSO UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

3. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

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

Remove lines 2056-2058 of the amendment and insert:
revising the duties

Rep. Fasano moved the adoption of the amendment to the amendment, which failed of adoption.

Representative Rodríguez, J. offered the following:

(Amendment Bar Code: 243415)

Amendment 5 to Amendment 1—Between lines 1419 and 1420 of the amendment, insert:

(n)1. Rates for coverage provided by the corporation must be actuarially sound and subject to s. 627.062, except as otherwise provided in this paragraph. The corporation shall file its recommended rates with the office at least annually. The corporation shall provide any additional information regarding the rates which the office requires. The office shall consider the recommendations of the board and issue a final order establishing the rates for the corporation within 45 days after the recommended rates are filed. The corporation may not pursue an administrative challenge or judicial review of the final order of the office.

2. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided in s. 624.509 to augment the financial resources of the corporation.

3. After the public hurricane loss-projection model under s. 627.06281 has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology, the model shall serve as the minimum benchmark for determining the windstorm portion of the corporation's rates. This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.

4. The rate filings for the corporation which were approved by the office and took effect January 1, 2007, are rescinded, except for those rates that were lowered. As soon as possible, the corporation shall begin using the lower rates that were in effect on December 31, 2006, and provide refunds to policyholders who paid higher rates as a result of that rate filing. The rates in effect on December 31, 2006, remain in effect for the 2007 and 2008 calendar years except for any rate change that results in a lower rate. The next rate change that may increase rates shall take effect pursuant to a new rate filing recommended by the corporation and established by the office, subject to this paragraph.

5. Beginning on July 15, 2009, and annually thereafter, the corporation must make a recommended actuarially sound rate filing for each personal and commercial line of business it writes, to be effective no earlier than January 1, 2010.

6. With respect to any single policy issued for property described in s. 6(a), Art. VII of the State Constitution ("homesteaded property"), the corporation shall not effectively increase the amount paid for the policy coverage by more than 10 percent in any 12-month period either by increasing the cost of such policy through changes to rates, surcharges, methodology used to calculate replacement value, procedures used to conduct wind mitigation reinspections, or any other change which affects the amount paid by a policyholder; or by reducing the value of such policy, including changes to the policy's levels and limits of coverage that are not accompanied by a corresponding decrease in the amount paid for coverage. Premium increases that are the result of material changes in a policyholder's circumstances rather than changes in the corporation's policies or that take into account errors and omissions, including, but not limited to, the cancellation of wind mitigation discounts due to a policyholder not originally qualifying for such discounts, are excluded from the calculation used to determine the amount paid under this section. The provisions of this section shall apply to a policy so long as the property that it insures remains homesteaded property; shall apply to any policy taken out, assumed, or removed from the corporation under this chapter for a period of 3 years after take out, assumption, or removal, unless a subsequent insurer obtains the written consent of the policyholder; and shall apply to policies issued to a policyholder previously insured with the corporation for the same property at any time within the preceding 24 months and entitle policyholders to enjoy the protections described in this section as if their coverage by the corporation had been continuous ~~Beginning on or after January 1, 2010, and notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under subparagraph 1., the corporation shall annually implement a rate increase which, except for sinkhole coverage, does not exceed 10 percent for any single policy issued by the corporation, excluding coverage changes and surcharges~~.

7. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

8. The corporation's implementation of rates as prescribed in subparagraph 6. shall cease for any line of business written by the corporation upon the corporation's implementation of actuarially sound rates. Thereafter, the corporation shall annually make a recommended actuarially sound rate filing for each commercial and personal line of business the corporation writes.

D I R E C T O R Y A M E N D M E N T

Remove line 649 of the amendment and insert:
Section 7. Paragraphs (a), (c), (i), (k), (n), and (q) of

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

Remove line 2060 of the amendment and insert:
corporation; providing limits on premium increases on insurance policies that provide coverage for homestead property; authorizing insurers taking out,

Rep. J. Rodríguez moved the adoption of the amendment to the amendment.

REPRESENTATIVE HOOPER IN THE CHAIR

The question recurred on final passage of **Amendment 5 to Amendment 1**. The vote was:

Session Vote Sequence: 296

Representative Hooper in the Chair.

Yeas—44

Antone	Dudley	Pafford	Slosberg
Berman	Edwards	Powell	Stafford
Bileca	Fasano	Pritchett	Taylor
Bracy	Fullwood	Rangel	Thurston
Campbell	Gibbons	Reed	Torres
Castor Dentel	Jones, M.	Rehwinkel Vasilinda	Trujillo
Clarke-Reed	Jones, S.	Richardson	Waldman
Clelland	Lee	Rodríguez, J.	Watson, B.
Cruz	McGhee	Rogers	Watson, C.
Danish	Moskowitz	Rouson	Williams, A.
Diaz, J.	Nuñez	Schwartz	Zimmermann

Nays—70

Adkins	Brodeur	Crisafulli	Fresen
Ahern	Broxson	Cummings	Gaetz
Albritton	Caldwell	Davis	Gonzalez
Baxley	Coley	Diaz, M.	Goodson
Beshears	Combee	Eagle	Grant
Boyd	Corcoran	Fitzenhagen	Hager

Harrell	Moraitis	Raburn	Spano
Holder	Nelson	Rader	Stark
Hood	Oliva	Raschein	Steube
Hooper	O'Toole	Raulerson	Stewart
Hudson	Passidomo	Ray	Stone
Hutson	Patronis	Renuart	Tobia
Ingram	Perry	Roberson, K.	Van Zant
La Rosa	Peters	Rodrigues, R.	Wood
Magar	Pigman	Rooney	Workman
Mayfield	Pilon	Santiago	Young
McBurney	Porter	Schenck	
Metz	Precourt	Smith	

Representative Fasano offered the following:

(Amendment Bar Code: 654511)

Amendment 6 to Amendment 1—Remove lines 1822-1823 of the amendment and insert:

(c) Enter into contracts with any authorized insurer to participate in the program and accept an

Rep. Fasano moved the adoption of the amendment to the amendment, which was adopted.

Representative Fasano offered the following:

(Amendment Bar Code: 706691)

Amendment 7 to Amendment 1—Remove lines 1840-1847 of the amendment

Rep. Fasano moved the adoption of the amendment to the amendment, which was adopted.

Representative Fasano offered the following:

(Amendment Bar Code: 213695)

Amendment 8 to Amendment 1—Remove line 1848 of the amendment and insert:

(4) Any authorized insurer may

Rep. Fasano moved the adoption of the amendment to the amendment, which was adopted.

Representatives J. Diaz, Nuñez, Artiles, Bileca, Oliva, Fresen, Gonzalez, M. Diaz, Trujillo, and Raschein offered the following:

(Amendment Bar Code: 295991)

Amendment 9 to Amendment 1—Remove line 1907 of the amendment and insert:

an authorized insurer obtained through the program. An applicant for coverage from the corporation who was declared ineligible for coverage by the corporation in the previous 36 months due to provisions of this section or s. 627.351(6)(c)5.a. or 5.b. shall be considered a renewal under this section if the corporation determines that the authorized insurer increased the rate on the policy in excess of the increase allowed under s. 627.351(6)(n).

Rep. J. Diaz moved the adoption of the amendment to the amendment, which was adopted.

Representative Hager offered the following:

(Amendment Bar Code: 348413)

Amendment 10 to Amendment 1 (with title amendment)—Between lines 1997 and 1998 of the amendment, insert:

Section 12. Subsection (5) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(5) With respect to a rate filing involving coverage of the type for which the insurer is required to pay a reimbursement premium to the Florida Hurricane Catastrophe Fund, the insurer may fully recoup in its property insurance premiums any reimbursement premiums paid to the fund, together with reasonable costs of other reinsurance, including reinsurance purchased solely to insure against potential deficits within the fund which the most recent estimate made pursuant to s. 215.555(4)(c)2. predicts would be funded through revenue bonds issued under s. 215.555(6)~~; however, except as otherwise provided in this section, the insurer may not recoup reinsurance costs that duplicate coverage provided by the fund~~. An insurer may not recoup more than 1 year of reimbursement premium at a time. Any under-recoupment from the prior year may be added to the following year's reimbursement premium, and any over-recoupment must be subtracted from the following year's reimbursement premium.

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

Remove line 2101 of the amendment and insert:

potential assessments; amending s. 627.062, F.S.; providing for recoupment of certain costs of reinsurance; providing effective dates.

Rep. Hager moved the adoption of the amendment to the amendment

THE SPEAKER IN THE CHAIR.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 297].

The question recurred on the adoption of Amendment 1 as amended, which failed of adoption. The vote was:

Session Vote Sequence: 298

Speaker Weatherford in the Chair.

Yeas—53

Adkins	Hager	O'Toole	Santiago
Ahern	Harrell	Passidomo	Schenck
Albritton	Holder	Patronis	Smith
Baxley	Hooper	Perry	Stark
Boyd	Hudson	Pilon	Stone
Broxson	Ingram	Porter	Tobia
Clelland	La Rosa	Precourt	Van Zant
Coley	Lee	Raburn	Weatherford
Combee	Magar	Rader	Wood
Crisafulli	Mayfield	Raulerson	Workman
Cummings	McBurney	Ray	Young
Fitzenhagen	Metz	Renuart	
Gaetz	Moraitis	Roberson, K.	
Goodson	Nelson	Rooney	

Nays—61

Antone	Eagle	Pafford	Spano
Berman	Edwards	Peters	Stafford
Beshears	Fasano	Pigman	Steube
Bileca	Fresen	Powell	Stewart
Bracy	Fullwood	Pritchett	Taylor
Caldwell	Gibbons	Rangel	Thurston
Campbell	Gonzalez	Raschein	Torres
Castor Dentel	Grant	Reed	Trujillo
Clarke-Reed	Hood	Rehwinkel Vasilinda	Waldman
Corcoran	Hutson	Richardson	Watson, B.
Cruz	Jones, M.	Rodrigues, R.	Watson, C.
Danish	Jones, S.	Rodríguez, J.	Williams, A.
Davis	McGhee	Rogers	Zimmermann
Diaz, J.	Moskowitz	Rouson	
Diaz, M.	Nuñez	Schwartz	
Dudley	Oliva	Slosberg	

Votes after roll call:
Nays—Brodeur

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 433—A bill to be entitled An act relating to the inspector general of Citizens Property Insurance Corporation; amending s. 627.351, F.S.; requiring the internal auditor of the corporation to cooperate and coordinate activities with the inspector general; establishing the Office of Inspector General within the corporation; providing for appointment and duties of the inspector general; providing an effective date.

—was read the second time by title.

Representative Richardson offered the following:

(Amendment Bar Code: 863773)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (i) and (k) of subsection (6) of section 627.351, Florida Statutes, are amended, and paragraph (gg) is added to that subsection to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(i)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by any employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. Cooperate and coordinate activities with the corporation's inspector general.

~~e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.~~

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(k)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the corporation's Office of the Inspector General ~~Internal Auditor~~ and the Division of Insurance Fraud within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

(gg) The Office of Inspector General is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency. The office shall be headed by an inspector general, which is a senior management position that involves planning, coordinating, and performing activities assigned to and assumed by the inspector general for the corporation.

1. The inspector general shall be appointed by the Financial Services Commission and may only be removed from office by the commission. The inspector general shall be appointed without regard to political affiliation.

a. At a minimum, the inspector general must possess a bachelor's degree from an accredited college or university and 8 years of professional experience related to the duties of an inspector general as described in this paragraph, of which 5 years must have been at a supervisory level.

b. The inspector general shall report to, and be under the supervision of, the chair of the board of governors. The executive director or corporation staff may not prevent or prohibit the inspector general from initiating, carrying out, or completing any audit, review, evaluation, study, or investigation.

2. The inspector general shall initiate, direct, coordinate, participate in, and perform audits, studies, reviews, evaluations, and investigations designed to assess management practices; compliance with laws, rules, and policies; and program effectiveness and efficiency. This includes:

a. Conducting internal examinations; investigating allegations of fraud, waste, abuse, malfeasance, mismanagement, employee misconduct, or violations of corporation policies; and conducting any other investigations as directed by the Financial Services Commission or as independently determined.

b. Evaluating and recommending actions regarding security, the ethical behavior of personnel and vendors, and compliance with rules, laws, policies, and personnel matters and rendering ethics opinions.

c. Evaluating personnel and administrative policy compliance, management and operational matters, and human resources-related matters.

d. Evaluating the application of a corporation code of ethics, providing review and recommendations on the design and content of ethics-related policy training courses, educating employees on the code and appropriate conduct, and checking for compliance.

e. Evaluating the activities of the senior management team and management's compliance with recommended solutions.

f. Cooperating and coordinating activities with the chief of internal audit.

g. Maintaining records of investigations and discipline in accordance with established policies, or as otherwise required.

h. Supervising and directing the tasks and assignments of the staff assigned to assist with the inspector general's projects, including regular review and feedback regarding work in progress.

i. Providing recommendations regarding relevant training and staff development activities.

j. Directing, planning, preparing, and presenting interim and final reports and oral briefings, which communicate the results of studies, reviews, and investigations.

k. Providing the executive director with independent and objective assessments of programs and activities.

l. Completing special projects, assignments, and other duties as requested by the Financial Services Commission.

Section 2. This act shall take effect July 1, 2013.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the inspector general of Citizens Property Insurance Corporation; amending s. 627.351, F.S.; requiring the internal auditor of the corporation to cooperate and coordinate activities with the inspector general; requiring employees of the corporation to report certain information to the inspector general; establishing the Office of Inspector General within the corporation; providing for appointment and duties of the inspector general; providing an effective date.

Rep. Richardson moved the adoption of the amendment

Representative Richardson offered the following:

(Amendment Bar Code: 820337)

Amendment 1 to Amendment 1—Remove lines 95-134 of the amendment and insert:

coordinate, participate in, and perform audits, reviews, evaluations, studies, and investigations designed to assess management practices; compliance with laws, rules, and policies; and program effectiveness and efficiency. This includes:

a. Conducting internal examinations; investigating allegations of fraud, waste, abuse, malfeasance, mismanagement, employee misconduct, or violations of corporation policies; and conducting any other investigations as directed by the Financial Services Commission or as independently determined.

b. Evaluating and recommending actions regarding security, the ethical behavior of personnel and vendors, and compliance with rules, laws, policies, and personnel matters; and rendering ethics opinions.

c. Evaluating personnel and administrative policy compliance, management and operational matters, and human resources-related matters.

d. Evaluating the application of a corporation code of ethics, providing reviews and recommendations on the design and content of ethics-related policy training courses, educating employees on the code and on appropriate conduct, and checking for compliance.

e. Evaluating the activities of the senior management team and management's compliance with recommended solutions.

f. Cooperating and coordinating activities with the chief of internal audit.

g. Maintaining records of investigations and discipline in accordance with established policies, or as otherwise required.

h. Supervising and directing the tasks and assignments of the staff assigned to assist with the inspector general's projects, including regular review and feedback regarding work in progress and providing recommendations regarding relevant training and staff development activities.

i. Directing, planning, preparing, and presenting interim and final reports and oral briefings which communicate the results of studies, reviews, and investigations.

j. Providing the executive director with independent and objective assessments of programs and activities.

k. Completing special projects, assignments, and other duties as requested by the Financial Services Commission.

l. Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

Rep. Richardson moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1 as amended**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 7093—A bill to be entitled An act relating to the establishment of a clearinghouse program within the Citizens Property Insurance Corporation; amending s. 626.752, F.S.; exempting Citizens Property Insurance Corporation or any private alternative from exchange of business limitations and restrictions when placing business with authorized insurers; creating s. 627.3518, F.S.; providing definitions; requiring the creation of a clearinghouse program within the corporation; specifying the purposes of the program; specifying certain rights and responsibilities with respect to the program; authorizing the corporation to take specified actions in establishing the program; providing conditions and requirements relating to the participation of insurers in the program; providing conditions, requirements, limitations, and procedures applicable to offers of coverage with respect to applicants for coverage with the corporation and existing policyholders of the corporation; providing requirements for certain independent insurance agents and exclusive agents with respect to submitting applications for coverage or policies for renewal to the program; requiring the corporation to publish standards by a certain date for recognition of private entities as an alternative option to submitting risks to the program; providing conditions and requirements relating to such alternative options; providing for construction; providing an effective date.

—was read the second time by title.

Representative Nelson offered the following:

(Amendment Bar Code: 274573)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (4) of section 626.752, Florida Statutes, is amended to read:

626.752 Exchange of business.—

(4) The foregoing limitations and restrictions shall not be construed and shall not apply to the placing of surplus lines business under the provisions of part VIII or to the activities of Citizens Property Insurance Corporation in placing new and renewal business with authorized insurers in accordance with s. 627.3518.

Section 2. Paragraph (c) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. Effective January 1, 2013, the corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.

a. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.

3.a. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

b. To ensure that the corporation is operating in an efficient and economic manner while providing quality service to policyholders, applicants, and agents, the board shall commission an independent third-party consultant having expertise in insurance company management or insurance company management consulting to prepare a report and make recommendations on the relative costs and benefits of outsourcing various policy issuance and service functions to private servicing carriers or entities performing similar functions in the private market for a fee, rather than performing such functions in-house. In making such recommendations, the consultant shall consider how other residual markets, both in this state and around the country, outsource appropriate functions or use servicing carriers to better match expenses with revenues that fluctuate based on a widely varying policy count. The report must be completed by July 1, 2012. Upon receiving the report, the board shall develop a plan to implement the report and submit the plan for review, modification, and approval to the Financial Services Commission. Upon the commission's approval of the plan, the board shall begin implementing the plan by January 1, 2013.

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of eight individuals who are residents of this state and~~,~~ from different geographical areas of this state.

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and is deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board in connection

with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a personal lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. However, ~~a policyholder of the corporation or~~ a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period ~~remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer~~. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. However, ~~a policyholder of the corporation or~~ a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period ~~remains eligible for coverage from the corporation regardless of an offer of coverage from an authorized insurer or surplus lines insurer~~.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

c. For purposes of determining comparable coverage under sub-subparagraphs a. and b., the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the coastal account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus must be available to defray deficits in that account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures to be uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

10. The policies issued by the corporation must provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. Must provide that, with respect to the coastal account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds, but a limited apportionment company must begin collecting the regular assessments not later than 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d. may not be limited or deferred.

14. Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s. 626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

15. Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. Must limit coverage on mobile homes or manufactured homes built before 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

17. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

19. Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

20. As of January 1, 2012, must require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

ACKNOWLEDGMENT OF POTENTIAL SURCHARGE
AND ASSESSMENT LIABILITY:

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. I ALSO UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A

DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

3. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

a. The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of the first renewal after the effective date of this subparagraph.

b. The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

Section 3. Section 627.3518, Florida Statutes, is created to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.—The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.

(1) As used in this section, the term:

(a) "Corporation" means Citizens Property Insurance Corporation.

(b) "Exclusive agent" means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

(c) "Independent agent" means any licensed insurance agent not described in paragraph (b).

(d) "Program" means the clearinghouse created under this section.

(2) In order to confirm eligibility with the corporation and to enhance access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized and surplus lines insurers, the corporation shall establish a program for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.

(3) The corporation board shall establish the clearinghouse program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent, but may not be required to employ or engage a licensed general lines agent or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation may:

(a) Require all new applications, and all policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.

(b) Employ or otherwise contract with individuals or other entities for appropriate administrative or professional services to effectuate the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.

(c) Enter into contracts with any authorized or surplus lines insurer to participate in the program and accept an appointment by such insurer.

(d) Provide funds to operate the program. Insurers and agents participating in the program are not required to pay a fee to offset or partially offset the cost of the program or use the program for renewal of policies initially written through the clearinghouse.

(e) Develop an enhanced application that includes information to assist private insurers in determining whether to make an offer of coverage through the program.

(f) For personal lines residential risks, require, before approving all new applications for coverage by the corporation, that every application be subject to a period of 2 business days when any insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for a period of at least 30 days but not more than 60 days.

(g) Allow surplus lines insurers to participate and make offers of coverage. An offer of coverage may be made by a surplus lines insurer only if an authorized insurer does not make an offer of coverage through the program. Surplus lines insurers may offer premiums and coverages that are more favorable than those offered in the corporation, and agents are not required to compile three declinations from authorized insurers before binding coverage with an surplus lines insurer.

(4) Any authorized or surplus lines insurer may participate in the program; however, participation is not mandatory for any insurer. Insurers making offers of coverage to new applicants or renewal policyholders through the program:

(a) May not be required to individually appoint any agent whose customer is underwritten and bound through the program. Notwithstanding s. 626.112, insurers are not required to appoint any agent on a policy underwritten through the program for as long as that policy remains with the insurer. Insurers may, at their election, appoint any agent whose customer is initially underwritten and bound through the program. In the event an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph, and thereafter elects to accept a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.

(b) Must enter into a limited agency agreement with each agent that is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the program.

(c) Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the program when that agent has been appointed by the insurer pursuant to s. 626.112.

(d) Must comply with s. 627.4133(2).

(e) May participate through their single-designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations continue to apply.

(f) Must pay to the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.

(5) Notwithstanding s. 627.3517, any applicant for new coverage from the corporation is not eligible for coverage from the corporation, if provided an offer of coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold established in s. 627.351(6)(c)5.a. Whenever an offer of coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. In the event an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold contained in s. 627.351(6)(c)5.a., the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered is more than the corporation's renewal premium for comparable coverage, the insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. Any applicant for new coverage from the corporation, and policyholders of all policies for renewal, if provided an offer of coverage from a surplus lines insurer through the program, are not required to accept such offer, and may be accepted for coverage or renewed by the corporation at the applicant's or policyholder's option. Sub-sub-subparagraph 627.351(6)(c)5.a.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program.

(6) Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent.

Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) May accept an appointment from any insurer participating in the program.

(d) May enter into either a standard or limited agency agreement with the insurer, at the insurer's option.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the program.

(7) Exclusive agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and only after the exclusive agent's insurer has approved the limited servicing agreement terms. The exclusive agent's insurer must approve a limited service agreement for the program for any insurer for which it has approved a service agreement for other purposes.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer making an offer of coverage to that applicant.

(8) Submission of an application for coverage by the corporation to the program does not constitute the binding of coverage by the corporation, and failure of the program to obtain an offer of coverage by an insurer may not be considered acceptance of coverage of the risk by the corporation.

(9) The 45-day notice of nonrenewal requirement set forth in s. 627.4133(2)(b)4.b. applies when a policy is nonrenewed by the corporation because the risk has received an offer of coverage pursuant to this section which renders the risk ineligible for coverage by the corporation.

(10) The program may not include commercial nonresidential policies.

Section 4. This act shall take effect July 1, 2013.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the establishment of a clearinghouse program within the Citizens Property Insurance Corporation; amending s. 626.752, F.S.; exempting Citizens Property Insurance Corporation from exchange of business limitations and restrictions when placing business with authorized insurers; amending s. 627.351, F.S.; restricting the eligibility of a risk for a renewal policy issued by the corporation under certain circumstances; revising provisions allowing a policyholder removed from the corporation to remain eligible for coverage under certain circumstances; creating s. 627.3518, F.S.; providing purpose; providing definitions; requiring the creation of a clearinghouse program within the corporation; specifying the purposes of the program; requiring the corporation to provide a report to the Legislature; specifying certain rights and responsibilities with respect to the program; authorizing the corporation to take specified actions in establishing the program; providing conditions and requirements relating to the participation of insurers in the program; providing conditions, requirements, limitations, and procedures applicable to offers of coverage with respect to applicants for coverage with the corporation and existing policyholders of the corporation; providing requirements for certain independent insurance agents and exclusive agents with respect to submitting applications for coverage or policies for renewal to the program; providing for applicability and construction; providing an effective date.

Rep. Nelson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7095—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Further consideration of **HB 7095** was temporarily postponed

CS/HB 1191—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; revising terminology; prohibiting an industrial insured captive insurance company from insuring risks other than specified risks; authorizing the licensure of industrial insured captive insurance companies to provide workers compensation and employer's liability insurance in excess of a specified amount; requiring an industrial insured captive insurance company to maintain a certain amount of capital and surplus in order to continue to write such excess workers compensation; specifying that certain duties or actions are the responsibility of the Office of Insurance Regulation; amending s. 628.907, F.S.; conforming a provision; amending s. 628.909, F.S.; providing applicability of specified provisions to captive insurance companies and industrial insured captive insurance companies; conforming provisions; amending ss. 628.9142, 628.915, and 628.917, F.S.; conforming provisions; amending s. 628.919, F.S.; requiring a pure captive insurance company to submit certain standards relating to the risk management of controlled unaffiliated businesses to the Office of Insurance Regulation for approval; providing an effective date.

—was read the second time by title.

Representative Nelson offered the following:

(Amendment Bar Code: 607153)

Amendment 1—Remove lines 54-60 and insert:

(13) "Qualifying reinsurer parent company" means a reinsurer that ~~which~~ currently holds a certificate of authority or qualifies for credit for reinsurance under s. 624.610(3) and possesses~~, letter of eligibility or is an accredited or a satisfactory non-approved reinsurer in this state possessing~~ a consolidated GAAP net worth of at least $500 million and a consolidated debt to total capital ratio of not greater than 0.50.

Rep. Nelson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 509 was taken up. On motion by Rep. Van Zant, the House agreed to substitute SB 356 for CS/HB 509 and read SB 356 the second time by title. Under Rule 5.13, the House bill was laid on the table.

SB 356—A bill to be entitled An act relating to mutual insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; amending s. 617.01401, F.S.; revising the definition of the term "distribution" to exclude a not-for-profit insurance company subsidiary from ch. 617, F.S., relating to not-for-profit corporations; amending s. 628.371, F.S.; providing that certain dividends or distributions by a not-for-profit insurance company to its mutual insurance holding company which meet certain requirements are permitted under part I of ch. 628, F.S., relating to stock and mutual insurers; amending s. 628.703, F.S.; amending definitions relating to mutual insurance holding companies to add provisions for not-for-profit insurance companies and nonprofit health care plans; amending s. 628.707, F.S.; conforming terminology; amending s. 628.715, F.S.; adding not-for-profit insurance companies and nonprofit health plans to provisions relating to mergers and acquisitions; amending s. 628.727, F.S.; authorizing the articles of incorporation and bylaws of a mutual insurance holding company to restrict certain rights of policyholders to receive distributions; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 87—A bill to be entitled An act relating to mortgage foreclosures; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to actions commenced on or after a specified date; providing a time limitation for commencing certain actions; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for nonapplicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing legislative findings; providing for applicability; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing an effective date.

—was read the second time by title.

REPRESENTATIVE HOOPER IN THE CHAIR

Representative Fasano offered the following:

(Amendment Bar Code: 102561)

Amendment 1 (with title amendment)—Remove line 166 and insert:
of the final judgment of foreclosure of a mortgage, except in the case of fraud, misrepresentation, or other misconduct by the party who obtained the judgment, the court

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

Remove line 20 and insert:
certain circumstances; providing an exception; prohibiting such court from

Rep. Fasano moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 299

Representative Hooper in the Chair.

Yeas—34

Antone	Eagle	Rangel	Slosberg
Berman	Fasano	Reed	Stewart
Campbell	Fullwood	Rehwinkel Vasilinda	Thurston
Castor Dentel	Gibbons	Richardson	Torres
Clarke-Reed	Lee	Rodrigues, R.	Watson, B.
Clelland	Pafford	Rodriguez, J.	Watson, C.
Cruz	Powell	Rogers	Williams, A.
Danish	Pritchett	Rouson	
Dudley	Rader	Schwartz	

Nays—74

Adkins	Fitzenhagen	Metz	Renuart
Ahern	Fresen	Moraitis	Roberson, K.
Albritton	Gaetz	Moskowitz	Rooney
Baxley	Gonzalez	Nelson	Santiago
Beshears	Goodson	Nuñez	Schenck
Bileca	Grant	Oliva	Smith
Boyd	Hager	O'Toole	Steube
Brodeur	Harrell	Passidomo	Stone
Broxson	Holder	Patronis	Tobia
Caldwell	Hood	Perry	Trujillo
Coley	Hooper	Peters	Van Zant
Combee	Hudson	Pigman	Waldman
Corcoran	Hutson	Pilon	Weatherford
Crisafulli	Ingram	Porter	Wood
Cummings	Jones, M.	Precourt	Workman
Davis	La Rosa	Raburn	Young
Diaz, J.	Magar	Raschein	Zimmermann
Diaz, M.	Mayfield	Raulerson	
Edwards	McBurney	Ray	

Votes after roll call:
Yeas—McGhee, Spano, Stafford, Taylor

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 589—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing terms and the process for filling vacancies; specifying that any former poet laureate becomes a State Poet Laureate Emeritus or State Poet Laureate Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus, and the State Poet Laureate

Emerita shall serve without compensation; authorizing the department to adopt rules; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 643** was temporarily postponed.

CS/CS/CS/HB 1379—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; amending s. 48.031, F.S.; requiring an employer to allow an authorized individual to make service on an employee in a private area designated by the employer; providing a civil fine for employers failing to comply with the process; revising provisions relating to substitute service if a specified number of attempts of service have been made at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising provisions relating to service on a corporation; amending s. 56.27, F.S.; providing that a sheriff may rely on the affidavit submitted by the levying creditor; providing that the sheriff may apply for instructions from the court regarding the distribution of proceeds from a levy sale; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 1245—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending ss. 255.20 and 255.2575, F.S.; requiring public construction works contracts to include specified information; amending s. 255.257, F.S.; requiring state agencies to use a sustainable building rating system or a national model green building code for new buildings and renovations; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising definitions; providing legislative intent with respect to the applicability of certain amendments to s. 489.113(2), F.S.; providing for retroactive effect; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a contracting license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.71, F.S.; defining the term "local technical amendment"; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising the membership of the Florida Building Commission; amending s. 553.79, F.S.; conforming a cross-reference; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring statewide approval of impact protective systems by the commission; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code—Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; requiring replacement air conditioning systems in residential applications to use energy-saving quality installation procedures; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a statewide uniform building energy-efficiency rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; revising requirements for building energy-efficiency rating systems; deleting provisions related to an advisory working group; revising requirements for the training and certification of persons who conduct the energy efficiency ratings; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information to prospective purchasers; amending s. 553.997, F.S.; deleting requirement that the department participate in making certain energy-efficiency practices information available on behalf of other state agencies; amending s. 553.998, F.S.; revising provisions relating to the certification of energy efficiency ratings for compliance; providing for concrete masonry products research, education, and promotion; providing a short title; creating the Florida Concrete Masonry Council, Inc.; providing the powers and duties of the council and restrictions upon actions of the council; authorizing the council to develop and collect a self-imposed voluntary assessment on each concrete masonry unit; providing for the appointment of the governing board of the council; authorizing the reimbursement of board members for travel expenses; providing for the election of officers by the council; requiring the initial board of directors to adopt bylaws; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations; providing procedure and requirements for the collection of assessments by manufacturers; requiring the council to adopt bylaws by a specified date; providing an appropriation; providing an effective date.

—was read the second time by title.

Representative Davis offered the following:

(Amendment Bar Code: 790887)

Amendment 1—Remove line 697 and insert:
the amount set forth on the citation but not more than $2,500

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 133339)

Amendment 2—Remove line 780 and insert:
probation shall count toward the 5 years required under this

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 049081)

Amendment 3 (with title amendment)—Remove lines 790-809 and insert:

Section 11. Paragraphs (c) and (f) of subsection (4) of section 489.531, Florida Statutes, are amended to read:

489.531 Prohibitions; penalties.—

(4) Each county or municipality may, at its option, designate one or more of its code enforcement officers, as defined in chapter 162, to enforce, as set out in this subsection, the provisions of subsection (1) against persons who engage in activity for which county or municipal certification is required.

(c) The local governing body of the county or municipality may ~~is authorized to~~ enforce codes and ordinances against unlicensed contractors under the provisions of this section and may enact an ordinance establishing

procedures for implementing this section, including a schedule of penalties to be assessed by the code enforcement officers. The maximum civil penalty which may be levied may ~~shall~~ not exceed $2,000 ~~$500~~. Moneys collected pursuant to this section shall be retained locally as provided for by local ordinance and may be set aside in a specific fund to support future enforcement activities against unlicensed contractors.

(f) If the enforcement or licensing board or designated special magistrate finds that a violation exists, the enforcement or licensing board or designated special magistrate may order the violator to pay a civil penalty of not less than the amount set forth on the citation but not more than $2,500 ~~$500~~ per day for each violation. In determining the amount of the penalty, the enforcement or licensing board or designated special magistrate shall consider the following factors:

1. The gravity of the violation.
2. Any actions taken by the violator to correct the violation.
3. Any previous violations committed by the violator.

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

Remove line 38 and insert:
489.531, F.S.; revising maximum civil penalties for specified violations;

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Davis offered the following:

(Amendment Bar Code: 881683)

Amendment 4 (with title amendment)—Remove lines 1344-1534

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

Remove lines 85-104 and insert:
efficiency ratings for compliance; providing an

Rep. Davis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1193—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as nonagricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting an evidentiary presumption that land is not being used primarily for bone fide agricultural purposes if it is purchased for a certain amount above its agricultural assessment; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 801—A bill to be entitled An act relating to certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.71, and 1012.98, F.S.; requiring that counselors in elementary, middle, and high schools be certified school counselors; amending s. 1012.01, F.S.; limiting support staff duties of certified school counselors to functions related to academic testing; providing an effective date.

—was read the second time by title.

Representative Eagle offered the following:

(Amendment Bar Code: 912849)

Amendment 1 (with title amendment)—Remove lines 387-391 and insert:
workers, career specialists, and school psychologists.

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

Remove lines 5-10 and insert:
1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.; requiring that counselors in elementary, middle, and high schools be certified school counselors; providing an effective date.

Rep. Eagle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 737—A bill to be entitled An act relating to swimming pool and spa contracting; amending s. 489.111, F.S.; revising eligibility requirements for taking the swimming pool/spa servicing contractor's licensure examination; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 241—A bill to be entitled An act relating to community health workers; providing definitions; specifying the duties and activities of community health workers; creating the Community Health Worker Task Force within a state college or university; requiring the Department of Health to provide administrative support and services; providing membership and duties of the task force; requiring the members of the task force to elect a chair and vice chair; providing that task force members serve without compensation and are not entitled to reimbursement for per diem or travel expenses; requiring that the task force meet at least quarterly in person, by teleconference, or by other electronic means; specifying the number of members required for a quorum; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 427—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Sun, Sea, and Smiles license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **HB 699** was temporarily postponed.

Consideration of **CS/HB 787** was temporarily postponed.

CS/CS/HB 1159—A bill to be entitled An act relating to health care facilities; amending s. 395.003, F.S.; authorizing certain specialty-licensed

children's hospitals to provide obstetrical services under certain circumstances; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in certain retirement communities; providing conditions for the exemption; providing procedures to obtain an exemption; limiting the number of community skilled nursing home beds that are added under the exemption; requiring qualified retirement communities to submit a request for exemption; providing for severability; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Representative O'Toole offered the following:

(Amendment Bar Code: 038379)

Amendment 1 (with title amendment)—Remove lines 67-116 and insert:

Section 2. Subsection (2) of section 408.036, Florida Statutes, is amended to read:

408.036 Projects subject to review; exemptions.—

(2) PROJECTS SUBJECT TO EXPEDITED REVIEW.—Unless exempt pursuant to subsection (3), projects subject to an expedited review shall include, but not be limited to:

(a) A transfer of a certificate of need, except that when an existing hospital is acquired by a purchaser, all certificates of need issued to the hospital which are not yet operational shall be acquired by the purchaser, without need for a transfer.

(b) Replacement of a nursing home within the same district, if the proposed project site is located within a geographic area that contains at least 65 percent of the facility's current residents and is within a 30-mile radius of the replaced nursing home.

(c) Relocation of a portion of a nursing home's licensed beds to a facility within the same district, if the relocation is within a 30-mile radius of the existing facility and the total number of nursing home beds in the district does not increase.

(d) The new construction of a community nursing home in a retirement community as further provided in this paragraph.

1. Expedited review under this paragraph is available if all of the following criteria are met:

a. The residential use area of the retirement community is deed-restricted as housing for older persons as defined in s. 760.29(4)(b).

b. The retirement community is located in a county in which 25 percent or more of its population is age 65 and older.

c. The retirement community is located in a county that has a rate of no more than 16.1 beds per 1,000 persons age 65 years or older. The rate shall be determined by using the current number of licensed and approved community nursing home beds in the county per the agency's most recent published inventory.

d. The retirement community has a population of at least 8,000 residents within the county, based on a population data source accepted by the agency.

e. The number of proposed community nursing home beds in an application does not exceed the projected bed need after applying the rate of 16.1 beds per 1,000 persons aged 65 years and older projected for the county 3 years into the future using the estimates adopted by the agency, after subtracting the inventory of licensed and approved community nursing home beds in the county per the agency's most recent published inventory.

2. No more than 120 community nursing home beds shall be approved for a qualified retirement community under each request for application for expedited review. Subsequent requests for expedited review under this process shall not be made until 2 years after construction of the facility has commenced or 1 year after the beds approved through the initial request are licensed, whichever occurs first.

3. The total number of community nursing home beds which may be approved for any single deed-restricted community pursuant to this paragraph shall not exceed 240, regardless of whether the retirement community is located in more than one qualifying county.

4. Each nursing home facility approved under this paragraph shall be dually certified for participation in the Medicare and Medicaid programs.

5. Each nursing home facility approved under this paragraph shall be at least one mile from an existing approved and licensed community nursing home, measured over publicly owned roadways.

6. Section 408.0435 does not apply to this paragraph.

7. A retirement community requesting expedited review under this paragraph shall submit a written request to the agency for an expedited review. The request shall include the number of beds to be added and provide evidence of compliance with the criteria specified in subparagraph 1.

8. After verifying that the retirement community meets the criteria for expedited review specified in subparagraph 1., the agency shall publicly notice in the Florida Administrative Register that a request for an expedited review has been submitted by a qualifying retirement community and that the qualifying retirement community intends to make land available for the construction and operation of a community nursing home. The agency's notice shall identify where potential applicants can obtain information describing sales price of, or terms of the land lease for, the property on which the project will be located and the requirements established by the retirement community. The agency notice shall also specify the deadline for submission of any certificate-of-need application, which shall not be earlier than the 91st day and not be later than the 125th day after the date the notice appears in the Florida Administrative Register.

9. The qualified retirement community shall make land available to applicants it deems to have met its requirements for the construction and operation of a community nursing home but will sell or lease the land only to the applicant that is issued a certificate of need by the agency under the provisions of this paragraph.

a. A certificate of need application submitted pursuant to this paragraph shall identify the intended site for the project within the retirement community and the anticipated costs for the project based on that site. The application shall also include written evidence that the retirement community has determined that the provider submitting the application and the project proposed by that provider satisfies its requirements for the project.

b. The retirement community's determination that more than one provider satisfies its requirements for the project does not preclude the retirement community from notifying the agency of the provider it prefers.

10. Each application submitted shall be reviewed by the agency. If multiple applications are submitted for the project as published pursuant to subparagraph 8. above, then the competing applications shall be reviewed by the agency.

11. The agency shall develop rules to implement the provisions for expedited review, including time schedule, application content which may be reduced from the full requirements of s. 408.037(1), and application processing.

The agency shall develop rules to implement the provisions for expedited review, including time schedule, application content which may be reduced from the full requirements of s. 408.037(1), and application processing.

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

Remove lines 5-13 and insert:

under certain circumstances; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review;

Rep. O'Toole moved the adoption of the amendment.

Representative O'Toole offered the following:

(Amendment Bar Code: 205701)

Amendment 1 to Amendment 1—Remove lines 114-117 of the amendment

Rep. O'Toole moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion

On motion by Rep. Schenck, the House agreed to advance to the order of business of—

Messages from the Senate

The Honorable Will Weatherford, Speaker April 26, 2013

I am directed to inform the House of Representatives that the Senate has passed HB 7015, with 1 amendment, and requests the concurrence of the House.

Debbie Brown, Secretary

HB 7015—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

Senators Negron, Benacquisto, and Galvano moved the following:

(Amendment Bar Code: 768244)

Senate Amendment 1 (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 90.702, Florida Statutes, is amended to read:

90.702 Testimony by experts.—If scientific, technical, or other specialized knowledge will assist the trier of fact in understanding the evidence or in determining a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify about it in the form of an opinion or otherwise, if:

(1) The testimony is based upon sufficient facts or data;

(2) The testimony is the product of reliable principles and methods; and

(3) The witness has applied the principles and methods reliably to the facts of the case~~; however, the opinion is admissible only if it can be applied to evidence at trial~~.

Section 2. Section 90.704, Florida Statutes, is amended to read:

90.704 Basis of opinion testimony by experts.—The facts or data upon which an expert bases an opinion or inference may be those perceived by, or made known to, the expert at or before the trial. If the facts or data are of a type reasonably relied upon by experts in the subject to support the opinion expressed, the facts or data need not be admissible in evidence. Facts or data that are otherwise inadmissible may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that their probative value in assisting the jury to evaluate the expert's opinion substantially outweighs their prejudicial effect.

Section 3. This act shall take effect July 1, 2013.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

WHEREAS, the Supreme Court of the United States in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) replaced the standard for expert testimony in all federal courts that was first articulated in *Frye v. United States*, 293 F.2d 1013 (D.C. Cir 1923) with a new standard that is known as the Daubert standard, and

WHEREAS, the United States Supreme Court has subsequently reaffirmed and refined the Daubert standard in the cases of *General Electric Co. v. Joiner*, 522 U.S. 136 (1997) and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), and

WHEREAS, Florida's Evidence Code is generally patterned after the Federal Rules of Evidence,

WHEREAS, Rule 702 of the Federal Rules of Evidence, applicable to all federal courts, was amended in 2000 to reflect the holdings in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), *General Electric Co. v. Joiner*, 522 U.S. 136 (1997), and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), and

WHEREAS, as result of the 2000 amendment, Rule 702 of the Federal Rules of Evidence provides that:

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

(a) The expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;

(b) The testimony is based on sufficient facts or data;

(c) The testimony is the product of reliable principles and methods; and

(d) The expert has reliably applied the principles and methods to the facts of the case, and

WHEREAS, by amending s. 90.702, Florida Statutes, to pattern it after Rule 702 of the Federal Rules of Evidence as amended in 2000, the Florida Legislature intends to adopt the standards for expert testimony in the courts of this state as provided in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), *General Electric Co. v. Joiner*, 522 U.S. 136 (1997), and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), and to no longer apply the standard in *Frye v. United States*, 293 F.2d 1013 (D.C. Cir 1923) in the courts of this state, and

WHEREAS, by amending s. 90.702, Florida Statutes, the Florida Legislature intends to prohibit in the courts of this state pure opinion testimony as provided in *Marsh v. Valyou*, 977 So.2d 543 (Fla. 2007), NOW, THEREFORE,

On motion by Rep. Metz, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **HB 7015**. The vote was:

Session Vote Sequence: 300

Speaker Weatherford in the Chair.

Yeas—70

Adkins	Albritton	Beshears	Boyd
Ahern	Baxley	Bileca	Brodeur

Broxson	Hager	Oliva	Rooney
Caldwell	Harrell	Passidomo	Santiago
Coley	Holder	Patronis	Schenck
Combee	Hood	Perry	Smith
Crisafulli	Hooper	Peters	Spano
Cummings	Hudson	Pigman	Steube
Davis	Hutson	Pilon	Stone
Diaz, J.	Ingram	Porter	Tobia
Diaz, M.	La Rosa	Precourt	Trujillo
Eagle	Magar	Raburn	Van Zant
Fitzenhagen	Mayfield	Raschein	Weatherford
Fresen	McBurney	Raulerson	Wood
Gaetz	Metz	Ray	Workman
Gonzalez	Moraitis	Renuart	Young
Goodson	Nelson	Roberson, K.	
Grant	Nuñez	Rodrigues, R.	

Nays—41

Antone	Fasano	Rader	Stark
Berman	Fullwood	Rangel	Stewart
Bracy	Gibbons	Reed	Thurston
Campbell	Jones, M.	Rehwinkel Vasilinda	Torres
Castor Dentel	Jones, S.	Richardson	Waldman
Clarke-Reed	Lee	Rodríguez, J.	Watson, B.
Clelland	McGhee	Rogers	Watson, C.
Cruz	Moskowitz	Rouson	Zimmermann
Danish	Pafford	Schwartz	
Dudley	Powell	Slosberg	
Edwards	Pritchett	Stafford	

Votes after roll call:
Nays—Taylor, Williams, A.

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

HB 7095 was taken up, having been read the second time by title and postponed earlier today.

Representative Nelson offered the following:

(Amendment Bar Code: 088215)

Amendment 1 (with title amendment)—Remove lines 22-28 and insert:
(11)(a) Proprietary business information provided to the corporation's policyholder eligibility clearinghouse program by insurers with respect to identifying and selecting risks for an offer of coverage is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
(b) As used in this section, the term "proprietary business information" means information, regardless of form or characteristics, which is owned or controlled by an insurer, and which:
1. Is identified by the insurer as proprietary business information and is intended to be and is treated by the insurer as private in that the disclosure of the information would cause harm to the insurer, the person, or the company's business operations and has not been disclosed unless disclosed pursuant to a statutory requirement, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public;
2. Is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided to the clearinghouse; and
3. Includes, but is not limited to:
a. Trade secrets.
b. Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

Proprietary business information may be found in underwriting criteria or instructions which are used to identify and select risks through the program for an offer of coverage and are shared with the clearinghouse to facilitate the shopping of risks with the insurer.
4. The clearinghouse may disclose confidential and exempt proprietary business information:
a. If the insurer to which it pertains gives prior written consent;
b. Pursuant to a court order; or
c. To another state agency in this or another state or to a federal agency if the recipient agrees in writing to maintain the confidential and exempt status of the document, material, or other information and has verified in writing its legal authority to maintain such confidentiality.
(c) This subsection is subject to the Open Government Sunset Review

Remove line 63 and insert:
that CS/HB 7093 or similar legislation creating s. 627.3518,

D I R E C T O R Y A M E N D M E N T

Remove lines 17-18 and insert:
Section 1. Subsection (11) is added to section 627.3518, Florida Statutes, as created by the Committee Substitute for House Bill 7093, 2013 Regular Session,

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

Remove lines 4-9 and insert:
records requirements for proprietary business information provided to the corporation's policyholder eligibility clearinghouse program by insurers with respect to identifying and selecting risks for an offer of coverage; defining the term "proprietary business information"; authorizing disclosure under specified conditions; providing for future

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 221143)

Amendment 2—Remove lines 33-37 and insert:
necessity that all proprietary business information provided by an insurer to the Citizens Property Insurance Corporation's policyholder eligibility clearinghouse program which is used to identify and select risks from the program be

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 714385)

Amendment 3—Remove lines 56-60 and insert:
necessity that all proprietary business information provided by an insurer to the Citizens Property Insurance Corporation's policyholder eligibility clearinghouse program which is used to identify and select risks from the program be

Rep. Nelson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Crisafulli moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 10:00 a.m., Monday, April 29, 2013, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 21.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 55.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 95.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 223.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 319.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 341.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 361, by the required Constitutional two-thirds vote of all members present and voting.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 375.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 571.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 623.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 731, by the required Constitutional two-thirds vote of all members present and voting.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 935.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 953.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 973.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1157.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 1297, by the required Constitutional two-thirds vote of all members present and voting.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 4001.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7089, by the required Constitutional two-thirds vote of all members present and voting.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7119.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7145.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 112, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Rules; Criminal Justice; and Judiciary; and Senator Dean—

CS for CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass another, a document relating to the ownership, transfer, or encumbrance of, or claim against, real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent time when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or participating in a community correctional program and when the victim of the offense is a public officer or employee or incurs financial losses under certain circumstances; authorizing the court to issue an injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a civil cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term "public officer or employee"; revising criminal penalties for criminal actions under color of law or through use of simulated legal process; providing legislative intent; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 134, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Governmental Oversight and Accountability; and Education; and Senator Ring—

CS for CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; deleting a provision regarding a special meeting; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 142, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Criminal Justice; and Senators Altman, Sobel, and Bradley—

CS for SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; clarifying in s. 393.063, that the meaning of the terms "intellectual disability" or "intellectually disabled" is the same as the meaning of the terms "mental retardation," "retarded," and "mentally retarded" for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term "intellectually disabled" for the term "mentally retarded"; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term "intellectual disability" for the term "mental retardation"; amending s. 916.107, F.S.; substituting the term "intellectual disability" for the term "retardation"; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms "intellectual disability" or "intellectually disabled" are interchangeable with and have the same meaning as the terms "mental retardation," or "retardation" and "mentally retarded," as defined before the effective date of the act; substituting the term "intellectual disability" for the term "mental retardation"; expressing legislative intent; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 166, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Judiciary; and Banking and Insurance; and Senator Richter—

CS for CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to

annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 186, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Judiciary; and Senator Diaz de la Portilla—

CS for SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term "foreign judgment" for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 230, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Ring—

SB 230—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 248, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Health Policy; and Senator Thrasher—

CS for SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; authorizing each board and profession within the division to delegate to its chair or other designee the authority to determine that an applicant for licensure under its jurisdiction may be impaired before certifying or declining to certify an application for licensure; authorizing the chair or other designee to refer the applicant to the consultant for an evaluation before the board certifies or declines to certify the applicant's application to the department; tolling the department's deadline for approving or denying the application until the evaluation is completed and the result of the evaluation and recommendation by the consultant is communicated to the board by the consultant if the applicant agrees to be evaluated by the consultant; requiring the board to certify or decline to certify the applicant's application to the department notwithstanding the lack of an evaluation and recommendation by the consultant if the applicant declines to be evaluated by the consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 284, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Negron—

CS for SB 284—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by

a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 298, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Governmental Oversight and Accountability; and Senator Brandes—

CS for SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 398, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Banking and Insurance; and Health Policy; and Senator Bean—

CS for CS for SB 398—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician's patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 454, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Education; and Senator Benacquisto—

CS for SB 454—A bill to be entitled An act relating to Florida College System institution police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System institution police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System institution police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System institution police officers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 468, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Health Policy; and Banking and Insurance; and Senator Hukill—

CS for CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates, fees, and forms; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation's approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 520, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Bradley—

SB 520—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting a requirement that emergency medical technicians, paramedics, and 911 public safety telecommunicators complete an educational course on HIV and AIDS; amending s. 401.23, F.S.; redefining the terms "basic life support" and "advanced life support" for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; revising the period for review of the comprehensive state plan for emergency medical services and programs; amending s. 401.27, F.S.; revising requirements for the certification and recertification of emergency medical technicians and paramedics; revising requirements for the certification of emergency medical technicians and paramedics trained outside the state; revising the time limit by which applicants trained outside the state must complete the certification examination without having to submit a new application and meet all eligibility and fee requirements; amending s. 401.2701, F.S.; revising requirements for institutions that conduct approved programs for the education of emergency medical technicians and paramedics; revising requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 558, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Detert—

SB 558—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 592, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Commerce and Tourism; and Senator Galvano—

CS for SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.04, F.S.; authorizing an employee or agent of a business entity to answer a writ of garnishment on behalf of the entity; amending s. 77.041, F.S.; revising "Notice to Defendant" provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiff's or the garnishee's attorney; extending the time allowed for the plaintiff or the plaintiff's attorney to respond to the defendant's claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff's attorney when the plaintiff's attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 604, as further amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Bean—

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; revising requirements for the deposit and use of license fees for certain practitioners; amending s. 456.076, F.S.; requiring the Department of Financial Services to defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of impaired practitioners; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 682, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Simpson—

CS for CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 736, and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Richter—

SB 736—A bill to be entitled An act relating to limitations relating to deeds and wills; amending s. 95.231, F.S.; providing for limitations of actions when a deed or will is on record; providing that a person claiming an interest in real property affected by amendments made in the act has until a specified date to file a claim or defense in court to determine the validity of the instrument; providing that if a claim or defense is filed within the specified period, the

validity of the instrument is determined without regard to these amendments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 810, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Commerce and Tourism; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 934, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Environmental Preservation and Conservation; and Senator Lee—

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.4131, F.S.; deleting an obsolete reference; requiring that rules for environmental resource permitting provide for conceptual permits and associated general permits for a municipality or county that creates a stormwater management master plan for urban infill and redevelopment areas or community redevelopment areas; specifying requirements for a conceptual permit; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 964, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Children, Families, and Elder Affairs; and Senator Abruzzo—

CS for SB 964—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that a parent's rights may be terminated if the court determines, by clear and convincing evidence, that the child was conceived during an act of unlawful sexual battery; creating a presumption that termination of parental rights is in the best interest of the child if the child was conceived as a result of an unlawful sexual battery; requiring the court to accept a guilty plea or conviction as conclusive proof that the child was conceived by a violation of criminal law; providing that a petition to terminate parental rights may be filed at any time; amending s. 39.811, F.S.; providing for termination of parental rights of only one parent if conception was the result of an unlawful sexual battery; providing for retroactive application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1106, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Rules; and Agriculture; and Senators Hays and Bullard—

CS for CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term "agritourism activity," changing the term "agritourism professional" to "agritourism operator," and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1302, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Banking and Insurance; and Senator Garcia—

CS for SB 1302—A bill to be entitled An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a temporary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1398, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Judiciary; and Senator Hukill—

CS for SB 1398—A bill to be entitled An act relating to real estate appraisers; amending s. 475.617, F.S.; revising terminology applicable to

education requirements for registered trainee appraisers, certified residential appraisers, and certified general appraisers; authorizing qualifying education courses completed by applicants for registration as a trainee or certification as a residential appraiser or general appraiser to be completed through distance learning; revising the education and experience requirements for certified residential appraisers and certified general appraisers according to certain real property appraiser qualification criteria adopted by the Appraiser Qualifications Board of the Appraisal Foundation on a specified date; authorizing the use of a distance learning course; providing requirements for a distance learning course and a final examination; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1410, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Community Affairs; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled "General Provisions"; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term "consultant"; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company's investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the "Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act" to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety

inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm outbuildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s.

633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings,

quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1420, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Health Policy; and Senator Sobel—

CS for SB 1420—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert's competency evaluation report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 1472, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Community Affairs; and Communications, Energy, and Public Utilities; and Senators Legg, Latvala, Simpson, and Brandes—

CS for CS for SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; providing that the commission may not determine that a utility intends to complete construction of a power plant unless the utility proves its efforts by a preponderance of the evidence; providing that a utility that elects not to complete construction of a nuclear power plant may not recover any future rate of return for related costs; requiring a utility to provide notice of its election to the commission; providing for a penalty; exempting certain actions taken before this act takes effect; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has adopted SM 1478 and requests the concurrence of the House.

Debbie Brown, Secretary

By Senator Thompson—

SM 1478—A memorial to the United States Secretary of Homeland Security, urging the United States Department of Homeland Security to create the Haitian Family Reunification Parole Program.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for SB 1594, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator Bradley—

CS for CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms "agency," "energy, water, and wastewater efficiency and conservation measure," and "energy, water, or wastewater cost savings"; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency's guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of

consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1768, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Governmental Oversight and Accountability; and Transportation—

CS for SB 1768—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public records requirements for personal identifying information of an applicant or recipient of paratransit services; making clarifying changes; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1770, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Appropriations; and Banking and Insurance—

CS for SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; adding a member to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain amount; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; deleting a provision exempting the corporation from state procurement requirements; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk factor; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; amending s. 627.3519, F.S.; revising requirements relating to the preparation of the annual reports relating to the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending s. 627.410, F.S.; conforming provisions to changes made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1784, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Brandes—

SB 1784—A bill to be entitled An act relating to military installations; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to acquire certain nonconservation lands to buffer a military installation against encroachment; amending s. 288.980, F.S.; providing legislative findings; providing functions of the Military Base Protection Program; authorizing the Department of Economic Opportunity to annually recommend nonconservation lands for acquisition through fee simple purchase or less-than-fee interest purchase to the Board of Trustees of the

Internal Improvement Trust Fund for the purpose of preventing the encroachment of military installations; requiring the board of trustees to also consider land acquisition recommendations of the Florida Defense Support Task Force; authorizing funds appropriated to the Military Base Protection Program to be used for land acquisition to prevent or reduce encroachment of military installations; providing a definition for the term "nonconservation lands"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1792, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Judiciary—

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider or recommending that a practitioner or provider seek legal counsel on a particular matter; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner's or provider's attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner's or provider's attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an interview with a claimant's treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct interviews with the claimant's health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing for application of the act to certain causes of action; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1850, as amended, by the required Constitutional two-thirds vote of all members present and voting, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Banking and Insurance—

SB 1850—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all proprietary business information submitted by an insurer to the Citizens Property Insurance Corporation's clearinghouse; providing a definition; providing exemption; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 1852, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Appropriations—

SB 1852—A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing an appropriation from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program to purchase 2-year dormitory residence advance payment contracts for certain students; providing an appropriation from the General Revenue Fund to the state courts system to provide technology solutions to expedite foreclosure cases through the judicial process; providing an appropriation from the General Revenue Fund to the state courts system to provide certain supplemental resources; providing an appropriation from the General Revenue Fund to the clerks of the court to assist and support the courts in expediting the processing of backlogged foreclosure cases; providing an appropriation from the General Revenue Fund to the Office of the Attorney General to provide legal aid services to low- and moderate-income homeowners facing foreclosure; providing an appropriation from the General Revenue Fund to the Department of Children and Families to fund capital improvement grants for certified domestic violence centers; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity to provide a grant to Habitat for Humanity of Florida for certain purposes; providing requirements for Habitat for Humanity of Florida; providing financial audit reporting requirements; requiring certain funds to be repaid by Habitat for Humanity of Florida to the Department of Financial Services for deposit into the State Housing Trust Fund; providing an appropriation from the General Revenue Fund to the Florida Housing Finance Corporation to provide funding to reduce rents on new or existing rental units through the State Apartment Incentive Loan Program; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity for specified purposes; providing requirements for the expenditure, disbursement, and transfer to the State Housing Trust Fund of certain appropriated funds; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Cosponsors

CS/CS/CS/HB 125—M. Jones

CS/HB 391—Stone

CS/CS/HB 1325—Campbell, Steube, Zimmermann

CS/HB 1327—Campbell, Zimmermann

CS/HM 1389—Adkins, Ahern, Albritton, Antone, Berman, Beshears, Bileca, Boyd, Bracy, Brodeur, Broxson, Caldwell, Campbell, Castor Dentel, Clarke-Reed, Clelland, Coley, Combee, Corcoran, Crisafulli, Cruz, Cummings, Danish, Davis, M. Diaz, Dudley, Eagle, Edwards, Fasano, Fitzenhagen, Fresen, Fullwood, Gaetz, Gibbons, Gonzalez, Goodson, Grant, Hager, Harrell, Holder, Hood, Hooper, Hudson, Hutson, M. Jones, S. Jones, Kerner, La Rosa, Lee, Magar, Mayfield, McBurney, McGhee, Metz, Moraitis,

Moskowitz, Nelson, Nuñez, Oliva, O'Toole, Pafford, Passidomo, Patronis, Perry, Peters, Pigman, Pilon, Porter, Powell, Precourt, Pritchett, Raburn, Rader, Rangel, Raschein, Raulerson, Ray, Reed, Rehwinkel Vasilinda, Renuart, Richardson, K. Roberson, R. Rodrigues, J. Rodríguez, Rogers, Rooney, Rouson, Santiago, Saunders, Schenck, Schwartz, Slosberg, Smith, Spano, Stafford, Stark, Steube, Stewart, Stone, Taylor, Thurston, Tobia, Torres, Trujillo, Van Zant, Waldman, B. Watson, C. Watson, Weatherford, A. Williams, Wood, Workman, Young, Zimmermann

CS/HM 1405—Nuñez, C. Watson

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Bracy:

Yeas—April 17: 157; April 24: 204

Rep. Combee:

Yeas—April 25: 262

Rep. Edwards:

Yeas—April 25: 279

Rep. Raulerson:

Yeas—April 24: 227

Rep. Rehwinkel Vasilinda:

Nays to Yeas—April 25: 256

Rep. Steube:

Yeas to Nays—April 25: 279

Excused

Reps. Artiles, Kerner; Rep. Saunders after 2:00 p.m.

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

SB 1500, SB 1502, SB 1810, SB 1504, CS for SB 1762, SB 1506, and SB 1802 to serve with Rep. McKeel, Chair, and Rep. Crisafulli; Managers At-Large: Reps. Coley, Gibbons, Gonzalez, Holder, M. Jones, O'Toole, Precourt, Rouson, Schenck, Thurston, Waldman, Workman, and Young; HB 5501 and HB 5503, House Agriculture & Natural Resources/Senate General Government—Rep. Albritton, Chair, and Reps. Pafford, Raburn, Raschein, Smith, Stewart, Stone, and C. Watson; SB 1514, CS for CS for SB 878, and CS for CS for SB 1720, House Education/Senate Education—Rep. Fresen, Chair, and Reps. Adkins, Ahern, Bileca, Castor Dentel, Fitzenhagen, S. Jones, Nuñez, Perry, Pigman, Reed, and Taylor; CS for SB 406 and SB 1516, House Finance & Tax/Senate Finance and Tax—Rep. Workman, Chair, and Reps. Caldwell, Hager, Raulerson, J. Rodríguez, Santiago, Stark, and Torres; HB 5401, House Government Operations/Senate General Government—Rep. Ingram, Chair, and Reps. Antone, Broxson, Clarke-Reed, Harrell, Hood, Peters, and R. Rodrigues; SB 1520, SB 1518, and CS for CS for SB 1660, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Brodeur, Cruz, Cummings, J. Diaz, Oliva, Patronis, Richardson, and Wood; SB 1512, and SB 1508, SB 1510, House Justice/Senate Criminal and Civil Justice—Rep. McBurney, Chair, and Reps. Campbell, Danish, La Rosa, Mayfield, Metz, Passidomo, Pilon, and Spano; SB 1522, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Hooper, Chair, and Reps. Artiles, Davis, Goodson, McGhee, Porter, Powell, Ray, and Rogers.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 4:15 p.m., to reconvene at 10:00 a.m., Monday, April 29, 2013, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Friday, April 26, 2013

CS/CS/HB 87 — Read 2nd time; Amendment 102561 Failed; Placed on 3rd reading

CS/CS/CS/HB 125 — Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 241 — Read 2nd time; Placed on 3rd reading

SB 356 — Substituted for CS/HB 509; Read 2nd time; Placed on 3rd reading

CS/CS/HB 427 — Read 2nd time; Placed on 3rd reading

CS/HB 433 — Read 2nd time; Amendment 820337 adopted; Amendment 863773 adopted as amended; Placed on 3rd reading

CS/HB 463 — Read 3rd time; CS passed; YEAS 115, NAYS 0

CS/HB 509 — Substituted SB 356; Laid on Table, refer to SB 356

HB 533 — Read 2nd time; Placed on 3rd reading; Amendment 207373 adopted

CS/HB 589 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 643 — Temporarily postponed, on 2nd Reading

HB 699 — Temporarily postponed, on 2nd Reading

CS/HB 737 — Read 2nd time; Placed on 3rd reading

CS/HB 787 — Temporarily postponed, on 2nd Reading

CS/CS/HB 801 — Read 2nd time; Amendment 912849 adopted; Placed on 3rd reading

CS/CS/HB 807 — Read 3rd time; CS passed; YEAS 116, NAYS 0

HB 855 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/CS/CS/HB 879 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 909 — Read 2nd time; Amendment 190897 adopted; Amendment 628601 Failed; Amendment 243415 Failed; Amendment 654511 adopted; Amendment 706691 adopted; Amendment 213695 adopted; Amendment 295991 adopted; Amendment 348413 Failed; Amendment 764133 adopted as amended; Placed on 3rd reading

HB 949 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/HB 977 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

HB 979 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/HB 981 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 1007 — Read 2nd time; Placed on 3rd reading

CS/HB 1009 — Read 2nd time; Placed on 3rd reading

CS/HB 1013 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/CS/HB 1015 — Read 2nd time; Placed on 3rd reading

CS/CS/HB 1021 — Read 3rd time; CS passed; YEAS 116, NAYS 0

HB 1027 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/HB 1069 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

HB 1081 — Read 3rd time; Passed; YEAS 115, NAYS 0

CS/CS/HB 1091 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0

CS/CS/HB 1159 — Read 2nd time; Amendment 205701 adopted; Amendment 038379 adopted as amended; Placed on 3rd reading

CS/HB 1161 — Read 3rd time; Amendment 785629 adopted; Amendment 489377 adopted; CS passed as amended; YEAS 116, NAYS 0

CS/HB 1171 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 1191 — Read 2nd time; Amendment 607153 adopted; Placed on 3rd reading

CS/HB 1193 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB 1245 — Read 2nd time; Amendment 790887 adopted; Amendment 133339 adopted; Amendment 049081 adopted; Amendment 881683 adopted; Placed on 3rd reading

HB 1271 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/HB 1281 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

HB 1283 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

HB 1285 — Read 2nd time; Placed on 3rd reading

HB 1287 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/HB 1321 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 1323 — Read 3rd time; CS passed; YEAS 80, NAYS 35

CS/CS/HB 1325 — Read 3rd time; CS passed; YEAS 116, NAYS 0

CS/HB 1327 — Read 3rd time; CS passed; YEAS 116, NAYS 0

HB 1367 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/CS/CS/HB 1379 — Read 2nd time; Placed on 3rd reading

CS/HB 1403 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 1411 — Read 2nd time; Read 3rd time; CS passed; YEAS 114, NAYS 0

CS/HB 1421 — Read 2nd time; Placed on 3rd reading

CS for SB 1842 — Read 3rd time; CS passed; YEAS 78, NAYS 36

HB 4037 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

HB 4039 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

HB 4053 — Read 2nd time; Read 3rd time; Passed; YEAS 114, NAYS 0

CS/CS/HB 7007 — Read 2nd time; Amendment 906525 adopted; Amendment 897789 adopted; Amendment 069067 adopted; Amendment 279009 adopted; Amendment 358195 adopted; Amendment 656375 adopted; Amendment 412425 adopted; Placed on 3rd reading

HB 7015 — Concurred in 1 amendment(s); Concurred in Senate amendment 768244 as amended; Passed as amended; YEAS 70, NAYS 41; Amendment 768244 Concur

CS/HB 7093 — Read 2nd time; Amendment 274573 adopted; Placed on 3rd reading

HB 7095 — Read 2nd time; Amendment 088215 adopted; Amendment 221143 adopted; Amendment 714385 adopted; Placed on 3rd reading

CS/HB 7169 — Read 3rd time; CS passed as amended; YEAS 71, NAYS 45

JOURNAL OF THE HOUSE OF REPRESENTATIVES

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