



Buchanan

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2020 Florida Legislative Summary

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Table of Contents

2020 Session Summary..... 3

Major Legislation That Passed the 2019 Session

Commerce and Tourism..... 7

Community Affairs..... 8

Criminal Justice..... 15

Education..... 18

Environment & Natural Resources..... 24

Ethics & Elections..... 28

Finance & Taxation..... 29

General Government..... 31

Health & Human Services..... 35

Insurance and Banking..... 51

Judiciary..... 54

Infrastructure and Security..... 57

Innovation, Industry & Technology..... 61

Fiscal Year 2020-21 Budget Details

Education K-12..... 65

Higher Education..... 66

Health & Human Services 68

Criminal Justice..... 69

Transportation & Economic Development..... 72

Natural Resources..... 74

2020 Bill Statistics..... 76

BIR Government Affairs Team..... 77

Additional BIR Tallahassee Counsel..... 79

2020 Session Summary

Every Legislative Session has its own signature feel with ebbs and flows unique to any given year. The 2020 Session was no exception. Defined by the outbreak of the worldwide pandemic COVID-19 Virus, lawmakers scrambled to reduce previously closed out budget items to provide \$25 million for combatting the pandemic and directing \$300 million in reserves during the last week of the regularly scheduled 60-day session. Because of this, Session was extended to Thursday, March 19th to debate and pass the \$93.2 billion FY 2020-21 State Budget.

Legislators will most likely be back for a Special Session at some point possibly this summer to address the unprecedented economic disruption caused by the virus pandemic. The impact to the U.S. and Florida economy cannot be understated. The vast majority of Florida's tourism industry is now closed for the foreseeable future and all Floridians have been ordered to stay at home, sales tax revenues that the state so heavily relies upon are nonexistent. Some experts warn that the unemployment rate could exceed 20% as a result of imposed quarantines and reduced public activity, which is forcing service oriented businesses to lay off employees in numbers rarely, if ever seen.

Despite the pandemic turmoil, the Legislature did manage to pass major legislation affecting various segments of Florida's economy, passing 210 bills out of 3,578 filed. Below are brief summaries of major bills passed this year and what didn't make over the finish line in 2020.

Healthcare

Speaker Oliva made healthcare reform his priority once again this Session and delivered on passing the physician scope of practice issue ([HB 607](#)) allowing Physician Assistants and Advanced Registered Nurse Practitioners to prescribe medicine and consult patients with various levels of autonomy. The House also shepherded through legislation, [HB 389](#), allowing pharmacists to enter into a collaborative pharmacy practice agreement with a physician to manage chronic health conditions if the pharmacist meets certain qualifications.

Another bill, [HB 599](#), expands the scope of practice of consultant pharmacists. Under the bill, a pharmacist must complete additional training as required by the Board of Pharmacy to be licensed as a consultant pharmacist. A consultant pharmacist may provide medication management services in a health care facility within an agreed to framework with the facility or managing physician.

All three scope of practice bills have been signed into law by Governor DeSantis.

A much debated issue that emerged in the months leading up to Session was the ongoing deficit running the iBudget waiver under the Agency for Persons with Disabilities. The waiver allows individuals with disabilities to live in communities by providing individual cost plans for life sustaining services. The Senate introduced [SB 82](#) which introduces measures to contain costs in an effort to control ongoing agency deficits. There was no House companion, however late in Session the rules were waived by the House and the bill was amended with language exempting regulations for the construction of a facility for up to 72 beds to house individuals with developmental disabilities. The bill ultimately passed.

Hospital reimbursements were once again on the chopping block for the majority of session until the outbreak put the brakes on that idea, sparing reductions in what's known as the Critical Care Fund, Medicaid reimbursements, and a funding error from the Agency for Healthcare Administration.

Tax Package

The annual tax package ([HB 7097](#)) providing tax relief for consumers and businesses passed this year but not after being reduced from \$120.5 million tax relief package down to \$47.7 million with about half of the proposed tax credits also trimmed in a reaction to COVID-19. Lawmakers hastily put away \$300 million in related allocations and budget reserves. A one-time \$543 million corporate tax refund made it in to the final bill.

E-Verify

The federal program that verifies workers' legal status for employment purposes exposed a rare fracture amongst the Republican majority this year when the Governor made it a legislative priority to fulfill a campaign promise. E-Verify is currently voluntary in Florida, but a bill making it mandatory for public entities and private businesses was met with stiff resistance from business organizations representing hotel, restaurant, and agricultural industries to name a few.

After much back and forth between the House and Senate, the final version, [SB 664](#), passed makes E-Verify mandatory for public entities but included language stating that the Florida Department of Law Enforcement, the attorney general or state attorneys could demand employment records to verify compliance with the law for private employers.

Other Major Legislation that Passed

Following the lead in other states regarding the reimbursement for the likeness or image of college athletes, [SB 646](#) authorizes an intercollegiate athlete at a postsecondary educational institution to earn compensation for the use of her or his name, image, or likeness. It also prohibits a postsecondary institution from preventing an athlete from earning compensation for likeness or images.

On the last day of Session, a bill that expands a program providing tax credits to businesses who provide private school scholarships passed over objections of Democratic lawmakers. Teachers also will receive raises under legislation passed and dollars funded in the budget. Money set aside to raise minimum teacher salaries and provide raises for teachers who are already above that minimum is included in the budget.

The Legislature passed [SB 1794](#) Constitutional Amendments, which makes it more difficult for citizens to amend the state constitution by increasing the signature threshold for placing and amendment on the ballot, limiting out of state funding for initiatives, and allowing for more scrutiny of proposals by the state supreme court.

Major Legislation that Failed to Pass

A gambling compact with the Seminole Tribe of Florida once again failed to materialize. The lucrative revenue sharing plan that provided roughly \$500 million annually to the state coffers remains unresolved.

House leaders pushed to place a cap on the amount of THC in medical marijuana for patients ([HB 713](#)) under age 21, but was opposed by the Senate and failed to pass.

The House passed ([HB 737](#)) requiring public schools to hold a moment of silence for students each day. Members of the Senate believed it was unnecessary and it wasn't taken up in that chamber.

Repealing the state's no-fault auto insurance system, personal-injury protection, or PIP coverage ([HB 771](#)/[SB 378](#)) was introduced again this year but did not receive full votes in either the House or Senate.

A House plan to move the state Office of Energy from the Department of Agriculture and Consumer Services to the Department of Environmental Protection, under Gov. Ron DeSantis failed to pass. Agriculture Commissioner Nikki Fried, the only statewide elected Democrat, fought the move, and the Senate scuttled it.

Lawmakers failed to pass a broad school-safety bill. The House and Senate could not agree on a measure ([HB 7065](#)) that included recommendations from a Parkland shooting and a statewide grand jury.

A carry over issue from last year preempting regulation of vacation rental properties from local governments to the state was defeated this year after a concerted effort to oppose the bills was mounted by local governments and citizens alike. [HB 1011](#) and [SB 1128](#) did not receive a full floor vote in either chamber.

Budget Items

The \$93.2 billion state budget ([HB 5001](#)) passed on Thursday, March 19th includes higher salaries for teachers, a boost in affordable housing funds, and \$25 million to deal with the COVID-19 outbreak. The State Budget for FY 2020-21 is more than \$2 billion higher than current year spending, but most likely will be reduced as state revenues that rely on tourism and spending will see an unprecedented reduction because of efforts to curtail the spread of COVID-19. The budget does include \$3.8 billion in reserves.

The budget funds \$100 million for the land-buying program, Florida Forever. It is currently funded at \$33 million. Visit Florida was funded at \$50 million in the FY 2020-21 budget and extends the agency through at least 2023. Probably a wise decision considering the current state of worldwide tourism and travel.

For the first time that anyone can remember, the budget fully funds the affordable housing programs, known as the Sadowski Trust Fund, at \$370 million without raiding the trust fund as has been the norm in previous years.

The new budget will provide a 3% across-the-board raise for all state workers including correctional officers in the state prison system.

The budget discussed above will most likely be reduced as the impact of COVID-19 brings Florida's service and tourism based economy to a halt. Lawmakers will be back to address the coming revenue shortfalls; the just passed \$93.2 billion state budget will surely be adjusted.

On the following pages you will find summaries of major legislation that passed this Session. Please do not hesitate to contact our Government Affairs team at (850-681-0411) with any questions regarding information included in this report, or visit us at www.bjpc.com.

Major Legislation Passed this Session

Commerce and Tourism

SB 362 **Florida Tourism Marketing** – *Effective Date; these provisions take effect upon becoming law; signed by Governor on 4/8/2020*

The bill extends the scheduled repeal date for the Florida Tourism Industry Marketing Corporation, doing business as VISIT FLORIDA, and the Division of Tourism Marketing within Enterprise Florida, Inc., until October 1, 2023.

SB 426 **Economic Development** - – *Effective Date July 1, 2020; if approved by Governor*

The bill extends the scheduled repeal date for the Florida Tourism Industry Marketing Corporation, doing business as VISIT FLORIDA, and the Division of Tourism Marketing within Enterprise Florida, Inc., until October 1, 2023.

The bill modifies the operations and funding requirements of the Regional Rural Development Grants Program to revise the annual maximum grant amounts available to regional economic development organizations; require grant recipients to serve or be located in a rural area of opportunity; and clarify the concept of developing “professional capacity” with regard to how eligible entities may use grant funds. The maximum amount of funds the Department of Economic Opportunity (DEO) may expend for the program is increased from \$750,000 to \$1 million annually, and the percentage of grant funds that must be matched with non-state funds is decreased from 100 percent to 25 percent of the state’s contribution.

The bill amends the Rural Infrastructure Fund to increase the amount of infrastructure project costs that grant funds can be used for from 30 percent to 50 percent of a project’s total cost and clarify that eligible infrastructure projects include the costs associated with improving access to broadband Internet service.

The bill creates transparency requirements for contracts and agreements that expend funds under the Regional Rural Development Grants Program and the Rural Infrastructure Fund. In addition, the bill modifies the governance and administration of the Florida Development Finance Corporation (FDFC) to require additional reporting on their activities to the DEO and redesign the board of directors to include the director of the State Board of Administration’s Division of Bond Finance and the executive director of the DEO, who will serve as the chair of the board. The bill also increases the permitted term of a bond, note, or other form of indebtedness issued under the FDFC Act from 30 fiscal years to 35 calendar years; implements a conflict of interest policy for the FDFC’s board of directors; and institutes a sunset repeal, effective July 1, 2023, and every 4 years thereafter, unless reviewed and saved from repeal by the Legislature.

Lastly, the bill modifies the structure of Florida’s workforce development system to replace CareerSource Florida, Inc., (CareerSource) with the state board or the DEO in provisions relating to the implementation of the Workforce Innovation and Opportunity Act. The bill also clarifies the purpose, operation, and structure of CareerSource and the state board; requires the state

board, rather than CareerSource, to produce a state plan that creates an educated and skilled workforce; and clarifies the duties of the local workforce development boards. A number of conforming changes made in the bill reflect structural adjustments in the relationship between the DEO, CareerSource, and the state board.

HB 969 **Broadband Internet Service** – *Effective Date July 1, 2020; if approved by Governor*

The bill designates the Department of Economic Opportunity (DEO) as the lead state agency to facilitate the expansion of broadband Internet service in the state. It creates the Florida Office of Broadband (Office) within DEO's Division of Community Development for purposes of developing, marketing, and promoting broadband Internet service in the state. The bill transfers to the new office most of the powers and duties previously given to DMS. Specifically, the Office must:

- Create a strategic plan for increasing the use of broadband Internet service in the state;
- Build local technology planning teams representing, among others, libraries, schools, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture; and
- Encourage the use of broadband Internet service, especially in rural, unserved, and underserved areas of the state through grant programs.
- Monitor, participate in, and provide input in proceedings of the Federal Communications Commission and other federal agencies related to the geographic availability and deployment of broadband Internet service in Florida.

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

Community Affairs

HB 133 **Towing and Immobilizing Vehicles and Vessels** – *Effective Date October 1, 2020 if approved by Governor*

The bill makes several changes to current law relating to the towing of vehicles and vessels. Under current law, counties and municipalities may independently regulate many aspects of the towing industry through local ordinances. County and municipal governments may contract with one or more "authorized wrecker operators" to tow or remove wrecked, disabled, or abandoned vehicles from streets, highways, and accident sites within their jurisdiction. Once a contract is established, the county or municipality must create a "wrecker operator system" to apportion towing assignments between the contracted wrecker services.

Some local jurisdictions impose an administrative fee on the registered owner of a vehicle when the vehicle is towed in connection with certain misdemeanors or felonies. Additionally, some local jurisdictions, by ordinance or rule, charge wrecker operators and towing businesses licensing and operating fees for the towing and storage of vehicles.

The bill makes the following changes to the towing regulations provided in current law:

- Prohibits a county or municipality from enacting an ordinance or rule that imposes a fee or charge on authorized wrecker operators or towing businesses for performing towing services;
- Authorizes a county or municipality to impose an administrative fee on the registered owner or lienholder of a vehicle or vessel removed and impounded by an authorized wrecker operator or towing business, as long as the fee does not exceed 25 percent of the local jurisdiction's maximum towing rate. An authorized wrecker operator or towing operator may impose the fee on behalf of the county or municipality, but such fee must only be remitted to the county or municipality after it has been collected;
- Provides that a wrecker operator or towing business who recovers, removes, or stores a vehicle or vessel must have a lien on the vehicle or vessel that includes the value of the administrative fee imposed by a county or municipality;
- Incorporates vessels into the regulatory scheme for the towing of vehicles;
- Defines the term "towing business" to mean a business that provides towing services for monetary gain; and
- Requires tow-away zone notices to be placed within 10 feet from the "road" instead of within 5 feet from the "public right-of-way line."

The bill exempts certain counties with towing or immobilization licensing, regulatory, or enforcement programs as of January 1, 2020, from the prohibition on imposing a fee or charge on an authorized wrecker operator or a towing business. The counties covered by the exemption are Broward, Palm Beach, and Miami-Dade counties.

SB 140 **Fireworks** – *Effective Date; Upon Becoming a Law; signed by Governor on 4/8/2020*

The bill provides an exemption from the prohibition of fireworks usage during designated holidays. The designated holidays are Independence Day, July 4; New Year's Eve, December 31; and New Year's Day, January 1. Currently, the sale and use of fireworks are generally prohibited in Florida, unless used solely and exclusively in frightening birds from agricultural works and fish hatcheries pursuant to s. 791.07, F.S.

The bill is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), ch. 2007-67, L.O.F., or to supersede any local government regulation relating to the use of fireworks. Thus, the bill maintains current prohibitions on the opening of new fireworks permanent retail sales facilities and the issuance of permits for fireworks temporary retail sales facilities in greater numbers than were permitted in 2006, while also preserving the enactment of certain local government ordinances on fireworks.

In addition, the bill is not intended to supersede any fireworks prohibition within executed and recorded covenants or covenants running with the land of a ch. 720, F.S., homeowners'

association. However, a homeowners' association, through a board of directors, may not promulgate rules that attempt to abrogate a homeowner's right to use fireworks during a designated holiday or under general law.

SB 0172 **Florida Drug and Cosmetic Act** - *Effective Date July 1, 2020; if approved by Governor*

The bill expressly preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics, which includes sunscreen. Florida law does not currently preempt the regulation of such products; therefore local governments may pass ordinances regulating products like sunscreen as long as such ordinances do not conflict with state or federal law. The bill's preemption provisions would end this local regulation practice.

HJR 369 **Limitations on Homestead Assessments** - *If approved by the voters, provisions take effect January 1, 2021*

The joint resolution proposes an amendment to the State Constitution to extend by one year the period during which a person may transfer up to \$500,000 of accumulated Save Our Homes benefit from a prior homestead property to a new homestead property.

In 1992, Florida voters approved the Save Our Homes amendment to the State Constitution, which limits the amount that the assessed value of a homestead property may increase annually to the lesser of 3 percent or the percentage increase in the Consumer Price Index. The accumulated difference between the assessed value and the just value is the Save Our Homes benefit.

In 2008, Florida voters further amended the State Constitution to provide for the portability of the accrued benefit under the Save Our Homes assessment limitation. To transfer the Save Our Homes benefit, the homestead owner must establish a new homestead within two years of January 1 of the year she or he abandoned the old homestead.

The proposed constitutional amendment provides that the Save Our Homes benefit can be transferred to a new homestead if the new homestead is established by January 1 of the third year subsequent to abandonment of the old homestead. The amendment proposed in the joint resolution will take effect on January 1, 2021, if approved by at least 60 percent of voters during the 2020 general election.

SB 0410 **Growth Management** – *Effective Date July 1, 2020; If Approved by Governor*

Under current law, local governments create and adopt local comprehensive plans, which control and direct the use a

Property Rights Element

The bill requires all local governments to incorporate a property rights element into their comprehensive plans by the earlier of a local government's next proposed comprehensive plan amendment or July 1, 2023. A local government may adopt its own property rights element or use the model language provided in the bill. The bill specifies that the property rights element is

to ensure local governments consider private property rights in local decision making.

Comprehensive Plans

The bill amends current law to clarify that all local comprehensive plans effective (rather than adopted) after January 1, 2019, and all land development regulations adopted to implement the plan, must incorporate development orders existing before the plan's effective date.

The bill also provides that, after January 1, 2020, a county may not:

- Adopt any comprehensive plan, land development regulation, or another form of restriction that limits the use of property located within a municipality, unless the municipality adopts such land use policies through its own ordinances; or
- Limit a municipality from deciding the land uses, density, and intensity allowed on lands annexed into a municipality.

However, this prohibition on counties does not apply to charter counties with a population in excess of 750,000 as of January 1, 2020.

Municipal Annexation

The bill provides that, except as otherwise provided in current law governing municipal annexation of geographic areas, a municipality may not annex a territory within another municipal jurisdiction without the other municipality's consent.

DEO Technical Assistance Grants

The bill directs DEO, when selecting applications for Community Planning Technical Assistance Grants, to give preference to certain small counties and municipalities located near a proposed multi-use corridor interchange. Such grants may be used to assist those local governments in amending or developing its comprehensive plan to implement appropriate land uses around a proposed multi-use corridor interchange.

Altering a Development Agreement

The bill provides that a development agreement between a local government and a party, or its designated successor in interest, may be amended or canceled without securing the consent of the parcel owners that were originally subject to the development agreement, unless the amendment directly modifies the land uses of an owner's property.

Department of Transportation; Surplus Property

The bill requires the Florida Department of Transportation, when disposing of surplus real property, to give the prior owner of the property the right of first refusal to purchase the property.

Utility Right-of-Way Permitting

The bill provides that all permit applications to a county or municipality to use the public right-of-way for any utility must be processed within the expedited timeframe that currently applies to permit applications submitted for communications facilities.

Development of Regional Impact Amendments

The bill allows for the amendment of any Development of Regional Impact agreement previously classified as (or officially determined to be) essentially built out, and entered into on or before April 6, 2018. Any such amendment may authorize the developer to exchange approved land uses, so long as the exchange will not increase impacts on public facilities.

SB 1066 **Impact Fees** – *Effective date July 1, 2020; if approved by Governor*

The bill imposes new requirements related to impact fees. Impact fees are charges imposed by local governments against new development to pay for the cost of capital facilities made necessary by such growth. Impact fees must have a reasonable connection, or rational nexus, between 1) the proposed new development and the need and the impact of additional capital facilities, and 2) the expenditure of funds and the benefits accruing to the proposed new development.

Provisions in the bill prohibit the application of a new or increased impact fee to pending permit applications unless the result is to reduce the total impact fees or mitigation costs imposed on the applicant. In addition, the bill provides that impact fee credits are assignable and transferable at any time after establishment within the same impact fee zone or impact fee district, or an adjoining zone or district within the same local jurisdiction that receives benefits from the improvement or contribution that generated the credits.

HB 1339 **Community Development and Housing** – *Effective date July 1, 2020; if approved by Governor*

The bill addresses several issues affecting development zoning; bonding activities; impact fees; building inspections; affordable housing; and the regulation, ownership, and tenancy related to mobile homes, mobile home parks, and related homeowners' associations. With respect to development zoning, bonding activities, and building inspections, the bill includes provisions that:

- Authorize local governments to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use;
- Expand existing bonding activities of the Florida Interlocal Cooperation Act to include making loans to private entities of self-liquidating projects, regardless of where the entities are located;
- Require the reporting of local government impact fee data; and
- Establish that a local government may not audit a private building inspector more than four times a month.

With respect to affordable housing, the bill includes provisions that:

- Require the reporting of local government expenditures for affordable housing;

- Authorize the Florida Housing Finance Corporation (FHFC) to preclude an applicant from further participation in FHFC programs if that applicant made a material misrepresentation or engaged in fraudulent action in connection with program applications;
- Eliminate prior experience with FHFC as a qualifying criterion for financing under the State Apartment Incentive Loan (SAIL) Program;
- Permit FHFC to prioritize a portion of SAIL to provide funding for the development of newly constructed permanent rental housing for persons in foster care or persons aging out of foster care;
- Transition the “pilot” features of a workforce housing program into the Community Workforce Housing Loan Program, administered by FHFC;
- Establish biannual regional workshops for locally elected officials serving on affordable housing advisory committees to identify and share best affordable housing practices;
- Require a State Housing Initiatives Partnership (SHIP) Program participant to include in its annual program report to FHFC the number of affordable housing applications approved and denied; and
- Expand the definition of affordable housing in the SHIP Program to include certain nonprofits who provide affordable supportive housing and community-based coordination services for persons with challenges related to mental health, substance abuse, or domestic violence.

With respect to issues related to mobile homes, mobile home parks, and related homeowners’ associations, the bill includes provisions that:

- Allow a mobile home dealer to display a model manufactured home, rather than all homes offered for sale;
- Exempt a recreational vehicle dealer from the garage liability insurance requirements if it only sells park trailers;
- Clarify provisions exempting mobile home park owners from the jurisdiction of the Public Service Commission when the park owners provide water and wastewater;
- Revise when a mobile home park owner can require a mobile home owner to make improvements;
- Require a mobile home park owner to amend the prospectus and increase shared facilities when adding mobile home lots;
- Create a strict prohibition to prevent the park owner from passing on to mobile home owners taxes in an amount in excess of what is actually paid to the tax collector;
- Allow a mobile home park owner to give notice of lot rental increases for multiple anniversary dates at the same time;

- Permit a mobile home park damaged or destroyed by wind, water, or other natural force to be rebuilt on the same site with the same density as was approved, permitted, and built before being damaged or destroyed;
- Allow a mobile home buyer to assume the seller's prospectus or be offered a new prospectus by the park owner;
- Require a mobile home owner to receive written permission from park owner before exterior modifications or additions;
- Require a mobile home park owner to notify the Department of Business and Professional Regulation, who in turn notifies the Florida Mobile Home Relocation Company, when tenants will be evicted due to a change in land use;
- Revise numerous rights, obligations, and record retention requirements of a mobile home park homeowners' association, including how elections are conducted; and
- Require certain disputes between the homeowners' association and a member to be resolved via mandatory binding arbitration at the Department of Business and Professional Regulation.

SB 1398 **Community Planning** – *Effective Date July 1, 2020; if approved by Governor*

Regional Planning Councils

The bill addresses quorum requirements for meetings of Regional Planning Councils (RPCs) by authorizing RPC members to participate via communications media technology under certain circumstances. The state's 10 RPCs plan for and coordinate intergovernmental solutions to growth-related problems on greater-than local issues. Each RPC consists of anywhere from 3 to 12 counties. The voting membership of a regional planning council must consist of representatives living within the geographical area covered by the council.

While current law allows state agencies and certain entities created by an interlocal agreement to conduct meetings and vote by means of communications media technology, there has been a question over whether or not local boards or agencies may conduct meetings in the same fashion.

The bill provides requirements for establishing a quorum for meetings of regional planning councils when a voting member appears via telephone, real-time video conferencing, or similar real-time electronic or video communication. The member must provide oral, written, or electronic notice of her or his intent to appear via communications media technology to their respective planning council at least 24 hours before the scheduled meeting.

DEO Technical Assistance Grants

The Department of Economic Opportunity (DEO) manages the Community Planning Technical Assistance Grant Program. Under the program, the DEO awards grant funds to assist local governments in developing economic development strategies and in addressing critical local planning issues.

Enacted during the 2019 Regular Session, the Multi-use Corridors of Regional Economic Significance (M-CORES) Program is designed to advance the construction of regional corridors that will accommodate multiple modes of transportation and multiple types of infrastructure. The Florida Department of Transportation has assembled task forces to study M-CORES and to make recommendations regarding the potential local economic and environmental impacts of the corridors.

The bill requires the DEO, when selecting applicants for technical assistance grants, to give preference to certain small local governments located near a proposed M-CORES interchange. Such grants will be used to assist a local government in amending or developing its comprehensive plan to implement appropriate land uses around the proposed interchange.

SB 1466 **Government Accountability** – *Effective date July 1, 2020; if approved by Governor*

The bill amends current law to exclude certain acts or omissions by board members or employees of special districts or community development districts from being considered abuse of public position under Article II, s. 8, State Constitution, if such acts or omissions are authorized under specific provisions of the Code of Ethics

Criminal Justice

HB 199 **Sexual Battery Prosecution Time Limitation** – *Effective Date July 1, 2020; if approved by Governor*

The bill provides that there is no time limitation for prosecuting sexual battery when the victim is younger than 18 years of age at the time of the offense, and the offense was committed on or after July 1, 2020. This bill creates a new exception to the general time limitation proscribed in s. 775.15, F.S.

The bill provides that this act may be cited as “Donna’s Law.”

HB 625 **Public Nuisances** – *Effective Date July 1, 2020; if approved by Governor*

The bill amends s. 60.05, F.S., which generally provides for the enjoinder of public nuisances, to do the following:

- Provide specific authorization for a sheriff to enjoin a public nuisance;
- Extend and increase the frequency of notice, so a property owner has sufficient time to receive a notice and correct the use of the property;
- Provide more detail on what must be provided in the notice and the manner of serving the notice; and
- Afford property owners the ability to respond to notices with details of actions taken to abate a nuisance that may result in an extended timeframe for abatement before an application for a temporary injunction is filed.

The bill also amends s. 823.05, F.S., relating to abatement or enjoinder of specified public nuisances, to do the following:

- Delete the requirement that a criminal gang or member or associate of such gang must use a location “on two or more occasions” to engage in criminal gang-related activity for such use to qualify as a public nuisance that can be abated or enjoined; and
- Provide that any place or premises that has been used on more than two occasions within six months as the site of dealing in stolen property, assault, aggravated assault, battery, aggravated battery, burglary, theft, or robbery by sudden snatching, may be declared a public nuisance and may be abated or enjoined.

The bill also amends s. 893.138, F.S., relating to local administrative actions to abate specified public nuisances, to authorize a declaration of a public nuisance and abatement if a place or premises has been used on more than two occasions within six months as the site of any combination of the following offenses: murder; attempted felony murder; aggravated battery with a deadly weapon; or aggravated assault with a deadly weapon without intent to kill. Finally, the bill amends ss. 823.05 and 893.138, F.S., to provide that a rental property that is declared a nuisance may not be abated or subject to forfeiture under the Florida Contraband Forfeiture Act if the offense was committed by someone other than the property owner, and the owner commences rehabilitation of the property within 30 days of it being declared a nuisance.

SB 1056 **PACE Center for Girls** - *Effective Date July 1, 2020; if approved by Governor*

The bill creates s. 985.175, F.S., which authorizes the Department of Juvenile Justice to contract with PACE Center for Girls, to provide services including, but not limited to, education, counseling, training, and advocacy as an alternative to commitment and institutionalization of girls and young women. Contracts under this section must be authorized by and consistent with funding appropriated in the General Appropriations Act and be in accordance with s. 985.644, F.S.

SB 1286 **Contraband in Specified Facilities** - *Effective date October 1, 2020; if approved by Governor*

The bill adds medical marijuana, hemp, industrial hemp, and vapor-generating electronic devices to the list of contraband that may not be introduced into or on the grounds of state correctional institutions, county detention facilities, juvenile detention facilities, juvenile commitment programs, and facilities operated by the Department of Children and Families (DCF), and the Agency for Persons with Disabilities (APD).

The bill provides that it is a third degree felony to introduce medical marijuana, hemp, or industrial hemp into or on the grounds of state correctional institutions, county detention facilities, and facilities operated by the DCF, and the APD. It is a second degree felony to introduce medical marijuana, hemp, or industrial hemp into or on the grounds of juvenile detention facilities and juvenile commitment programs.

The bill provides that it is a first degree misdemeanor to introduce a vapor-generating electronic device into the secure perimeter of any state correctional institution, county

detention facility, juvenile detention facility, juvenile commitment program, and forensic facility operated by the DCF, and the APD.

The bill adds cellular phones or portable communication devices to the list of contraband that may not be introduced into or on the grounds of juvenile detention facilities, juvenile commitment programs, and forensic facilities operated by the DCF or the APD. It is a first degree misdemeanor to introduce such contraband into the secure perimeter of any of these facilities.

Additionally, the bill ranks the previously unranked offense of introducing a firearm or deadly weapon or a controlled substance into certain DCF facilities as a level 4 offense.

SB 1508 **Police Vehicles** – *Effective Date July 1, 2020; if approved by Governor*

The bill prohibits a person from knowingly selling, exchanging, or transferring a police vehicle without, before consummating the sale, exchange, or transfer, removing any police markings from the vehicle. The bill requires law enforcement agencies, before consummating the sale, exchange, or transfer, to provide an official letter of notification that police markings have been removed to the purchaser, customer, or transferee.

The bill defines “police markings” as decals, stickers, distinctive paint schemes, or other markings attached or applied to a police vehicle that identify the vehicle as a police vehicle.

The bill provides that sellers and auction houses, before consummating the sale, exchange, or transfer of a police vehicle, shall provide an official letter or notification to the purchaser, customer, or transferee confirming the fact that the vehicle has had the police markings removed.

The bill does not apply to sales, exchanges, or transfers of police vehicles to members of the general public for the purposes of collection or display. However, upon the sale, exchange, or transfer of a police vehicle for either of those purposes, the seller, exchanger, or transferor shall provide a notice to the purchaser, customer, or transferee in substantially the following form:

- USE OF THIS VEHICLE FOR THE DELIBERATE IMPERSONATION OF A PUBLIC OFFICER OR EMPLOYEE IS A FELONY OF THE THIRD DEGREE, PUNISHABLE AS PROVIDED IN SECTION 843.0855, FLORIDA STATUTES.

The bill exempts the sales, exchanges, or transfers of police vehicles between law enforcement agencies. A person who knowingly sells, exchanges, or offers to sell or exchange a motor vehicle in violation of these provisions commits a second degree misdemeanor.

HB 7015 **OGSR/Body Camera Recordings** – *Effective date October 1, 2020; if approved by Governor*

The bill saves from repeal the public record exemption, which will repeal on October 2, 2020, if this bill does not become law.

A body camera is a portable electronic recording device worn on a law enforcement officer's body that records audio and video data while the officer is performing his or her official duties and responsibilities.

Current law provides that a body camera recording, or a portion thereof, is confidential and exempt from public record requirements, if the recording is taken:

- Within the interior of a private residence;
 - Within the interior of a facility that offers health care, mental health care, or social services;
- or
- In a place that a reasonable person would expect to be private.

A law enforcement agency may disclose a confidential and exempt body camera recording, or a portion thereof, in furtherance of its official duties and responsibilities or to another governmental agency. However, a law enforcement agency must disclose such records:

- To a person recorded by a body camera, or his or her personal representative; however, a law enforcement agency may disclose only those portions that are relevant to the person's presence in the recording;
- To a person not depicted in a body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, a law enforcement agency may disclose only those portions that record the interior of such a place; and
- Pursuant to a court order.

Education

SB 72 Higher Education – Effective Date July 1, 2020; if approved by Governor

The bill modifies a number of policies related to postsecondary education, including, scholarship and grant programs, state university preeminence and performance incentive programs, and state university and Florida College System (FCS) operational and capital funding.

Postsecondary Scholarship and Grant Programs

The bill modifies certain merit- and need-based programs. Specifically the bill:

- Modifies the Florida Student Assistance Grant (FSAG) programs to authorize a student who received an FSAG award in fall or spring term to receive an award during the summer term, prioritize the distribution of grant funds to students who are within one semester of completing a degree or certificate program, and modify the maximum expected family contribution.
- Modifies the Florida Bright Futures Scholarship Florida Academic Scholars award to provide an annual stipend as specified in the General Appropriations Act, rather than specifying the amount at \$300.

- Modifies the Florida Bright Futures Scholarship Florida Medallion Scholars award to specify that, beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees.
- Clarifies provisions related to the Benacquisto Scholarship Program to require a scholarship renewal student to be enrolled full-time, except for the last term before graduation, and specifies limitations for the duration of an award.

State University Performance

The bill modifies provisions relating to the preeminent state research universities program, effective upon becoming law, which:

- Specifies that preeminence excellence standards are as reported annually in the Board of Governors (BOG) Accountability Plan, rather than by specified third-party sources.
- Removes the emerging preeminent state research university funding provisions.
- Replaces the State University System Programs of Excellence with State Universities of Distinction, with reporting deadlines, but excludes preeminent state research universities.

The bill modifies the state university performance-based incentive program to:

- Modify the 4-year graduation rate metric into two metrics, including a 4-year graduation rate for first-time-in-college students, and beginning in the 2021-2022 fiscal year, a 2-year graduation rate for FCS institution associate in arts transfer students.
- Add a new metric for a 6-year graduation rate for students who are awarded a Pell Grant in their first year, beginning in the 2021-2022 fiscal year.

State University and Florida College System Funds

The bill modifies requirements for the carry forward of operational funds by state universities and FCS institutions to modify submission and approval dates of a carry forward spending plan, and authorize the spending plan to include a commitment of funds to a contingency reserve for expenses related to a declared emergency.

The bill modifies a criterion for the State Board of Education to include new construction, remodeling, or renovation projects on a specified public education capital outlay (PECO) prioritized list for FCS institutions, to align to a similar requirement for the BOG.

The bill also requires the BOG legislative budget request (LBR) to include information about administrative and faculty personnel and requires the BOG to define faculty and administrator classifications and report such definitions in the LBR.

Additional State University and Florida College System Provisions

The bill also:

- Creates the Florida Institute of Politics at FSU and the Adam Smith Center for the Study of Economic Freedom at Florida International University, with specified goals for each institute.

- Requires that employees of a state university or research entity engaged in the design, conduct, or reporting of outside research must disclose and receive a determination that any outside research does not affect the integrity of the state university or entity, with penalties for noncompliance.
- Authorizes FCS institution and state university board of trustees (BOT) innovative pricing techniques and payment options policies to include either an opt-in or opt-out provision for students.
- Authorizes a member of the Phosphate Research and Activities Board to serve beyond 180 days of the expiration of his or her term, effective upon becoming a law.
- Expands the authorization for a state agency to contract with a nonpublic college or university to include a nonpublic institution that is authorized to operate within this state, offers a professional degree, and is accredited by the Middle States Commission on Higher Education.

HB 115 **Keep Our Graduates Working Act** – *Effective Date July 1, 2020; if approved by Governor*

The bill prohibits any licensing department, board, or agency from denying a license, refusing to renew a license, or suspending or revoking a professional license based solely on an individual being delinquent on a payment or defaulting on his or her student loans. The bill also:

- Removes the provision authorizing the Department of Health (DOH) to impose specified penalties on a healthcare practitioner for failure to repay a student loan or comply with the terms of a service scholarship.
- Specifies that the requirement for the DOH, or affiliated licensing boards, to refuse to allow a candidate to sit for an exam, or refuse to grant or renew a license because the applicant is on the United States Department of Health and Human Services (USHHS) Office of Inspector General's *List of Excluded Individuals and Entities* does not apply when the applicant is on the list solely because of default or delinquency on a student loan.
- Repeals the requirement that the DOH obtain a monthly list from the USHHS of the health care practitioners who have defaulted on their student loans, and the resulting requirement to notify a licensee that his or her license will be suspended, pending new payment terms.
- Requires the Department of Education, in its efforts to collect delinquent and defaulted debt, to comply with the protections for an individual's license established in the bill.

HB 0171 **Postsecondary Education for Certain Military Personnel** - *Effective Date Upon Becoming Law*

This bill requires the Florida Department of Education to establish a uniform process for awarding postsecondary college and career education credit for training and education acquired in the military. The Board of Governors of the State University System and the State Board of Education will adopt regulations and rules, respectively, in consultation with the state Department of Veterans' Affairs, to create this process.

The bill requires the Articulation Coordinating Committee (committee) to convene a 13-member workgroup by July 15, 2020, to select postsecondary course equivalencies and the minimum postsecondary credit or career education clock hours to be awarded for courses taken and occupations held by service members.

After meeting, the workgroup must provide recommendations to the Board of Governors and the State Board of Education by December 1, 2020, for approval at the next meeting of each board. After approval of the recommendations, the committee will approve a prioritized list, to be annually updated, of equivalencies and credit or clock hours to be awarded for courses taken and occupations held by service members.

Awarded credit and clock hours are transferrable to other state universities, Florida College System institutions, and career centers.

The bill also provides for a waiver of fees for transcript requests by active duty service members and honorably discharged veterans, and their spouses and dependents. Specifically, state universities, Florida College System institutions, career centers operated by a school district, and charter technical career centers are required to waive the fee on transcripts.

SB 434 **Designation of School Grades** – *Effective Date July 1, 2020; if approved by Governor*

The bill modifies the high school acceleration component of the school grading model to add to the calculation students who complete career certificate dual enrollment courses resulting in 300 or more clock hours that are approved by the State Board of Education.

HB 641 **Funds for the Operation of Schools** – *Effective Date July 1, 2020; if approved by Governor*

The bill establishes the Teacher Salary Increase Allocation within the Florida Education Finance Program (FEFP). The allocation:

Requires school districts and charter schools to use the allocation to increase the minimum base salary for full-time classroom teachers to at least \$47,500, or to the maximum amount achievable and as specified in the General Appropriations Act (GAA).

Provides for salary increases for full-time classroom teachers who did not receive a salary increase or who received an increase of less than two percent, or as specified in the GAA, and other full-time instructional personnel.

Establishes reporting requirements for district school boards, charter school governing boards, and the Department of Education (DOE).

The bill also:

- Requires school districts and charter schools to use the allocation to increase the minimum base salary for full-time classroom teachers to at least \$47,500, or to the maximum amount achievable and as specified in the General Appropriations Act (GAA).
- Provides for salary increases for full-time classroom teachers who did not receive a salary increase or who received an increase of less than two percent, or as specified in the GAA, and other full-time instructional personnel.
- Establishes reporting requirements for district school boards, charter school governing boards, and the Department of Education (DOE).

The bill also:

- Repeals the Florida Best and Brightest Teacher Program, Florida Best and Brightest Principal Program, and the Florida Best and Brightest Teacher and Principal Allocation.
- Provides the DOE with flexibility to establish timeframes for the advertisement and submission of bids for the 2020 instructional materials adoption cycle.
- Provides school district bonus funding through the FEFP for students who receive an Advanced Placement Capstone Diploma and meet the requirements for a standard high school diploma.
- Removes the limit of 30 postsecondary semester credit hours that a student may be awarded for successfully completing International Baccalaureate or Advanced International Certificate of Education course examinations.

SB 0646 **Intercollegiate Athlete Compensation and Rights** – *Effective Date July 1, 2020; If Approved by Governor*

The bill authorizes an intercollegiate athlete at a postsecondary educational institution to earn compensation for the use of her or his name, image, or likeness (NIL), and prohibits a postsecondary institution from preventing an athlete from earning NIL compensation.

In addition, the bill prohibits a postsecondary institution, and specified entities and individuals associated with a postsecondary institution, from compensating or causing compensation to be directed to a current or prospective athlete for her or his NIL.

The bill prohibits an athlete from entering into a contract for NIL compensation if a term of the contract conflicts with a term of the athlete's team contract. The bill requires an athlete who enters into a contract for NIL compensation to disclose the contract to the postsecondary institution at which she or he is enrolled.

The bill prohibits a postsecondary institution from preventing or unduly restricting an athlete from obtaining professional representation by an appropriately licensed or registered athlete agent or attorney for the purpose of securing NIL compensation. The bill specifies that grant-in-aid awarded to an athlete by a postsecondary institution may not be reduced as a result of an athlete earning compensation or obtaining professional representation for the purposes of NIL.

The bill requires each postsecondary institution to conduct a financial literacy and life skills workshop at the beginning of the athlete's first and third academic years, with specified stipulations.

HB 1213 **Educational Instruction of Historical Events** – *Effective Date July 1, 2020; if approved by Governor*

History of the Holocaust

The bill adds the policy, definition, examples, and prevention of anti-Semitism to the required public school instruction regarding the history of the Holocaust. Each school district must annually certify and provide evidence to the Department of Education (department) that instructional requirements concerning the history of the Holocaust are met. The bill requires the department to prepare and offer standards and curriculum for the required instruction, and authorizes the department to seek input from the Commissioner of Education's Task Force on Holocaust Education or from recognized Holocaust educational organizations. The department may contract with recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

The bill designates the second week in November as "Holocaust Education Week" in recognition of the anniversary of Kristallnacht, a precipitating event that led to the Holocaust.

1920 Ocoee Election Day Riots

The bill directs the Commissioner of Education's African American History Task Force to examine ways in which the history of the 1920 Ocoee Election Day Riots (riots) will be included in required instruction on African-American history and submit its recommendations to the Commissioner of Education and the State Board of Education by March 1, 2021.

The bill directs the Secretary of State to determine ways in which the Museum of Florida History and other state museums will promote the history of the riots through exhibits and educational programs, and collaborate with the National Museum of African American History and Culture of the Smithsonian Institution to seek inclusion of the history of the riots in the museum's exhibits.

The bill directs the Secretary of Environmental Protection to assess if any state park or facility will be named in recognition of any victim of the riots. Additionally, the bill encourages district school boards to assess opportunities for naming school facilities in recognition of victims of the riots.

HB 7011 **Student Athletes** – *Effective Date July 1, 2020; if approved by Governor*

Automated External Defibrillators

The bill is cited as the "Zachary Martin Act" and requires each public school that is a member of the Florida High School Athletic Association (FHSAA) to make its automated external defibrillator (AED) available on school grounds in a clearly marked, publicized location for each

athletic contest, practice, workout, or conditioning session, including those outside of the school year.

Training for School Employees or Volunteers

The bill requires, beginning June 1, 2021, a school employee or volunteer with current training in cardiopulmonary resuscitation and AED use to be present at each athletic event during and outside of the school year. Each employee or volunteer expected to use an AED must complete this training and be annually notified in writing of each AED's location.

Heat Stress Monitoring, Hydration, and Cooling Zones

The bill specifies that the FHSAA must:

- Make training and resources available to each member school for the effective monitoring of heat stress;
- Require member schools to monitor heat stress and modify athletic activities based on heat stress guidelines, including making cooling zones available;
- Establish hydration guidelines, including appropriate introduction of electrolytes; and
- Require each school's emergency action plan to include a procedure for onsite cooling using cold-water immersion or equivalent means before transporting a student for exertional heat stroke.

The bill specifies that each athletic coach and sponsor of extracurricular activities involving outdoor practices or events must annually complete training in exertional heat illness identification, prevention, and response, including effective administration of cooling zones.

Medical Evaluation

The bill requires all students participating in conditioning and activities that occur outside of the school year to pass a medical evaluation prior to participation in such activities each year.

Environment & Natural Resources

HB 73 **Environmental Regulation** – *Effective Date July 1, 2020; if approved by Governor*

The bill requires contracts between local governments and residential recycling collectors or recovered materials processing facilities for the collection, transport, or processing of residential recyclable material to address contamination. Such contracts must provide a definition of "contaminated recyclable material" that is appropriate for the local community, and must address topics regarding contamination that are listed in the bill. These requirements also apply to each request for proposal or other solicitation for collecting or processing residential recyclable material. After a contract is executed, a residential recycling collector or recovered materials processing facility is not required to collect, transport, or process contaminated recyclable material, except pursuant to a contract consistent with the bill.

SB 178 **Public Financing of Construction Projects** - *Effective Date July 1, 2020; if approved by Governor*

The bill requires a public entity that commissions or manages a construction project within the coastal building zone, using funds appropriated from the state, to conduct a sea level impact projection (SLIP) study prior to commencing construction. The Department of Environmental Protection (DEP) must establish, by rule, standards for the SLIP studies. The standards must include certain requirements specified in the bill for how the studies will be conducted and the information they must contain. The bill's requirement to conduct a SLIP study prior to commencing construction is effective one year after DEP's rule is finalized, and this requirement only applies to projects that commence after the rule is finalized.

SLIP studies must be conducted, submitted to DEP, and published on DEP's website for 30 days before construction can commence. DEP must publish and maintain a copy of all SLIP studies on its website for 10 years after receipt. The bill requires DEP to adopt rules as necessary to administer the section and authorizes DEP to enforce the requirements of the section.

The bill authorizes DEP to bring a civil action to seek injunctive relief to cease construction, enforce the section or rules adopted pursuant thereto, or seek recovery of state funds expended on a coastal structure, if construction commences without complying with the section. The bill states that the section may not be construed to create a cause of action for damages or otherwise authorize the imposition of penalties by a public entity for failure to implement what is contained in a SLIP study.

HB 659 **Drones** - *Effective Date July 1, 2020; if approved by Governor*

The bill creates an additional exception from the prohibition in existing law against law enforcement agencies using drones to gather evidence or information. The bill authorizes the use of drones by a non-law enforcement employee of the Fish and Wildlife Conservation Commission or of the Florida Forest Service for the purposes of managing and eradicating invasive exotic plants or animals on public lands and suppressing or mitigating wildfire threats.

SB 680 **Shark Fins** - *Effective Date October 1, 2020; if approved by Governor*

The bill is named the "Kristin Jacobs Ocean Conservation Act."

The bill prohibits the import, export, and sale of shark fins in the State of Florida with certain exceptions including:

The sale of shark fins by any commercial fisherman who harvested sharks from a vessel holding a valid federal shark fishing permit on January 1, 2020;

The export and sale of shark fins by any wholesale dealer holding a valid federal Atlantic shark dealer permit on January 1, 2020; and

The export and sale of domestically sourced shark fins by any shark fin processor that obtains fins from a wholesale dealer holding a valid federal Atlantic shark dealer permit on January 1, 2020.

The bill requires the Fish and Wildlife Conservation Commission (FWC) to evaluate the potential economic impact to the commercial shark fishing industry associated with prohibition of the import, export, and sale of shark fins in Florida, and report its findings to the Governor, President of the Senate, and Speaker of the House of Representatives by December 31, 2021. In conducting the study, FWC shall include:

Recommendations on how to lessen or offset impacts on the commercial shark fishing industry to the extent practicable if any negative economic impacts are identified;
The potential impact on shark populations associated with the prohibition of the import, export, and sale of shark fins in Florida; and

Any other information FWC believes is relevant to the management of shark fisheries.
The bill states that, upon receipt of the report, the Legislature may impose a ban on the domestic production of shark fins.

SB 702 **Petroleum Cleanup** - *Effective Date October 1, 2020; if approved by Governor*

The bill makes the following changes to the Petroleum Cleanup Participation Program:

- Requires that limited contamination assessment reports be sufficient to support the proposed course of action and to estimate the cost of the proposed course of action.
- Authorizes a demonstration of cost savings, as described in the bill, to replace or supplement the existing cost-share requirement.
- Provides definitions for Risk Management Option Levels I and II.
- Deletes the authorization that the costs for the report and copayment may be reduced or eliminated if the responsible owners and all operators demonstrate that they cannot financially comply with the copayment and report requirements.
- Deletes the 120-day time limitation for negotiations.

The bill makes the following changes to the Advanced Cleanup Program:

- Requires the applicant's contractor, upon acceptance of an application, to submit a scope of work to the Department of Environmental Protection (DEP) for the limited contamination assessment. Once the scope of work is agreed upon, DEP must issue purchase orders for the assessment of up to \$35,000 per purchase order.
- Requires that the property owner or responsible party must commit to continue to participate in the advanced cleanup program upon completion of the limited contamination assessment and finalization of the proposed course of action.
- Requires that proposed course of actions in the application be "conceptual."
- Deletes the prohibition on refunding costs incurred relating to conducting the limited contamination assessment report from the Inland Protection Trust Fund (IPTF).
- Deletes the requirement that the limited contamination assessment report be included in the application for the advanced cleanup program.

The bill authorizes DEP to use the IPTF to address damage or potential damage to storage tank systems caused by ethanol or biodiesel. DEP must pay up to \$10 million each fiscal year from the IPTF for the costs of labor and equipment to repair or replace petroleum storage systems that may have been damaged or for preventative measures reducing the potential for such damage. The bill establishes procedures by which petroleum storage system owners or operators may submit applications for purchase orders for authorized scopes of work and for payment of costs incurred between July 1, 2015 and June 30, 2019. DEP is authorized to pay up to \$200,000 annually per applicant for a single facility or \$500,000 annually per applicant in aggregate. The bill requires that, after July 1, 2019, DEP must only register new petroleum equipment meeting applicable standards for compatibility.

The bill requires DEP to disburse money to the Fish and Wildlife Conservation Commission for enforcement of the IPTF statute and the Water Quality Assurance Act.

HB 1061 **Aquatic Preserves** – *Effective Date October 1, 2020; if approved by Governor*

The bill designates the coastal region of Citrus, Hernando, and Pasco counties as an aquatic preserve system under the Florida Aquatic Preserve Act of 1975 and names it the “Nature Coast Aquatic Preserve.” The bill also designates the region as an Outstanding Florida Water. The bill includes legislative intent that the area “be preserved in an essentially natural condition so that its biological and aesthetic values may endure for the enjoyment of future generations.”

HB 1091 **Environmental Accountability** - *Effective Date October 1, 2020; if approved by Governor*

The bill makes numerous changes to the penalties for violating Florida’s environmental laws. The bill increases required or maximum environmental penalties in various sections of the Florida Statutes. Most of these changes increase a penalty by 50 percent. The bill increases the amount in administrative penalties that the Department of Environmental Protection may impose under ch. 403, F.S., in a notice of violation from \$10,000 to \$50,000.

The bill changes the duration that several penalties may run, so that each day during any portion of which certain violations occur constitutes a separate offense. For administrative penalties imposed under ch. 403, F.S., the bill provides that each day the cause of an unauthorized discharge of domestic wastewater is not addressed constitutes a separate offense. For civil penalties imposed under ch. 403, F.S., the bill provides that, if a violation is an unauthorized discharge of domestic wastewater, each day the cause of the violation is not addressed constitutes a separate offense until the violation is resolved by order or judgement.

The bill requires a seller of real property to disclose to a prospective purchaser, before executing a contract for sale, any defects in the property’s sanitary sewer lateral that are known to the seller. The bill also encourages municipalities and counties to voluntarily establish within their respective jurisdictions an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties to identify and reduce extraneous flow from leaking sanitary sewer laterals. The bill sets out certain requirements for such programs.

Ethics & Elections

HB 1005 **Voting Systems** - *Effective Date January 1, 2021; if approved by Governor*

The bill gives county canvassing boards and supervisors of elections the option to use state-certified, digital-imaging, automated tabulating equipment that is not part of the county's voting system to conduct both machine and manual recounts. Currently, only nine counties — Bay, Broward, Columbia, Hillsborough, Indian River, Leon, Nassau, Putnam, and St. Lucie — are expected to use such equipment to conduct post-certification, automated audits for the 2020 election cycle.

The bill authorizes the logic and accuracy testing of voting tabulating equipment to start as early as 25 days before early voting begins, rather than 10 days before early voting begins as under current law, to avoid any delay in the canvassing of vote-by-mail ballots.

SB 1794 **Constitutional Amendments** – *Effective date upon becoming law; approved by Governor on 4/8/2020*

The bill modifies the citizen initiative process for amending the State Constitution. Specifically, the bill:

- Expands the scope of Florida Supreme Court review to include facial validity of the proposal under the U.S. Constitution.
- Narrows the role of the Financial Impact Estimating Conference (FIEC) to estimating the proposal's financial impact on state and local governments and the state budget.
- Increases the geographic diversity and number of petition signatures that must be verified before the Secretary of State refers the proposal to the Attorney General and the FIEC.
- Creates a cause of action for citizens to challenge a petition circulator's registration.
- Provides that petition signatures are valid until the next February 1 of an even-numbered year, establishing a standardized 2-year petition cycle.
- Allows the Division of Elections or a supervisor of elections to provide a petition form in PDF format, with printing costs to be borne by the sponsor.
- Provides that a signature obtained illegally, including by an unregistered paid petition circulator, is invalid.
- Petition Signature Verification (costs):
 - o Requires petition sponsors to pay the actual cost of signature verification, as determined by the supervisor of elections in each county;

- o Requires such costs to be posted on the supervisors' and Division of Elections' website, for the sake of transparency;
- o Locks in verification costs for the entire 2-year petition cycle and signature validity period, so sponsors know at the outset how much verification will cost; and,
- o Requires the Division of Elections and supervisors to review biennially any available, cost-reducing technology.
- Petition Signature Verification (process):
 - o Requires supervisors to verify petition signatures within 30 days (not 60 days) in the two months immediately preceding the February 1 ballot position deadline in a general election year.
 - o Requires the supervisors and Division of Elections to post and update monthly (weekly during the last 60 days before the February 1 ballot position deadline) certain information about the number of signature petitions received, verified, and processed.
- Requires the ballot to include a bold-font statement that the FIEC:
 - o Estimates a positive financial impact, along with projected tax/revenue/government impacts;
 - o Estimates a negative fiscal impact, along with projected tax/government services impacts; or,
 - o Estimates an indeterminate financial impact due to ambiguities/uncertainties or the FEIC being unable to reach a consensus.

The bill, by its express terms, applies to 2020 ballot initiatives, though it does not “affect the validity of any petition form gathered before the effective date of this act or any contract entered into before the effective date of this act.” However, it clarifies that the FIEC need not re-visit financial impact statements already submitted to the Secretary of State for 2020 initiatives.

Finance & Taxation

HB 877 **Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities** – *Effective Date January 1, 2021; Subject to voter approval.*

This joint resolution proposes an amendment to Article VII, section 6(e) of the Florida Constitution to expand the discount on ad valorem taxes provided to an honorably discharged veteran who is age 65 or older and is partially or totally and permanently disabled as a result of combat to include surviving spouses. Specifically, the joint resolution would allow the same ad valorem tax discount on homestead property for combat-disabled veterans age 65 or older to carry over to the surviving spouse of a veteran receiving the discount if the surviving spouse

holds the legal or beneficial title to the homestead, permanently resides thereon, and does not remarry. The discount would apply to the property until the surviving spouse remarries, sells, or otherwise disposes of the property. If the spouse sells the property, a discount not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence, as long as the residence is used as the surviving spouse's permanent residence and he or she does not remarry.

A joint resolution proposing an amendment to the Florida Constitution must be passed by three-fifths of the membership of each house of the Legislature. The Constitution requires 60 percent voter approval for passage of a proposed constitutional amendment.

SB 7004 **OGSR/Taxpayer E-mail Addresses Held by a Tax Collector** - *Effective Date October 1, 2020; if approved by Governor*

The bill amends s. 197.3225, Florida Statutes, to save from repeal the current public records exemption for e-mail addresses used by a tax collector to send certain tax notices, by removing the scheduled October 2, 2020, repeal date.

The bill continues to exempt from public disclosure those taxpayer e-mail addresses held by a tax collector for the purposes of:

- Sending a quarterly tax notice for prepayment of estimated taxes pursuant to s. 197.222, F.S.;
- Obtaining the taxpayer's consent to send the tax notice described in s. 197.322(3), F.S.;
- Sending an additional tax notice or delinquent tax notice to the taxpayer pursuant to s. 197.343, F.S.; or
- Sending a tax notice to a designated third party, mortgagee, or vendee pursuant to s. 197.344(1), F.S.

HB 7097 **Taxation** – *Effective date July 1, 2020, except as otherwise provided; approved by Governor on 4/8/2020*

The bill provides for tax reductions and tax-related modifications that will impact both families and businesses. Several provisions related to sales tax are included:

- A three-day "back-to-school" tax holiday in early August 2020 and a seven-day "disaster preparedness" tax holiday in May and June of 2020;
- A requirement that School Capital Outlay sales surtaxes approved in the future be proportionately shared with charter schools;
- A requirement that any future levy of the Charter County and Regional Transportation System Sales Surtax in any eligible county be limited to 30 years in duration.

For corporate income tax, the bill amends the calculation of a taxpayer's "final tax liability" for purposes of calculating certain corporate income tax refunds. The bill increases the population limit, under which a county is authorized to use its tourist development tax revenues for zoological parks, fishing piers, and nature centers, from 750,000 to 950,000.

Regarding property taxes, the bill amends the requirements for hospitals to qualify for a charitable tax exemption. Non-profit hospitals will be required to document the value of charitable services they provide, and their current charity tax exemption will be limited to the value of that charity care.

The bill updates the qualifying operations for the deployed service member tax exemption; amends statutory provisions that address conflict of interest for special magistrates; and restricts information that may be mailed with the yearly TRIM notice.

The bill also exempts from property tax vacant affordable housing units and units occupied by persons or families that met the qualifying income thresholds at the time they began their tenancy, but whose income grew through the income thresholds.

The bill also exempts from property tax an affordable housing project owned by a limited liability company, which is also owned by a limited liability company, as long as the owner of the second limited liability company is a qualifying 501(c)(3) entity.

The bill lowers the tax rate on surplus lines insurance and provides that the new lower rate applies to all policies irrespective of where the insured risk is located.

The bill exempts new school construction projects funded solely through local impact fees from the total cost per student station limitation.

It also prohibits an owner of a public building from soliciting any payment for providing the allocation letter needed to receive a federal income tax deduction for energy efficient construction.

The bill also includes provisions proposed by the Department of Revenue to enhance the administration of state taxes and oversight of property taxation.

The total state and local government revenue impact of the bill in Fiscal Year 2020-21 is estimated to be -\$47.4 million (all nonrecurring), including an impact of -\$36.9 million to the General Revenue Fund. The bill also provides nonrecurring appropriations totaling \$311,000 from the General Revenue Fund to implement the act.

General Government

HB 101 Public Construction – Effective Date October 1, 2020 if approved by Governor

Retainage is an amount that a state or local government entity may withhold from payment for construction services to the contractor during the construction process. This bill reduces the retainage cap from 10 percent of the costs due to five percent of the costs throughout the term of the contract for construction services. The bill repeals:

- The authority granted to a contractor to request the government entity to release up to half of the retained amount after fifty percent of the project is completed; and

- The authority granted to a contractor to withhold more than five percent of each progress payment to his or her subcontractors after fifty percent of a project with a government entity is completed.

The bill specifies that the provisions do not apply to:

- Department of Transportation construction contracts authorized under ch. 337, F.S.; and
- Any contract for construction services entered into, pending approval, or advertised by a government entity, on or before October 1, 2020.

HB 441 **Public Procurement of Services** - *Effective Date July 1, 2020 if approved by Governor*

The Consultants' Competitive Negotiation Act (CCNA) requires state and local government agencies to procure the "professional services" of an architect, professional engineer, landscape architect, or registered surveyor and mapper using a qualifications-based selection process. The CCNA permits the use of a continuing contract - a contract for professional services entered into between an agency and a firm whereby the firm provides professional services to the agency for several projects.

The bill amends the definition of "continuing contract" to increase the maximum dollar amount for each individual project and each individual study under the contract for construction projects. The maximum dollar amount for each individual project is increased from \$2 million to \$4 million, and the maximum dollar amount for each individual study is increased from \$200,000 to \$500,000.

HB 877 **Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities** – *Effective Date January 1, 2021; Subject to voter approval.*

This joint resolution proposes an amendment to Article VII, section 6(e) of the Florida Constitution to expand the discount on ad valorem taxes provided to an honorably discharged veteran who is age 65 or older and is partially or totally and permanently disabled as a result of combat to include surviving spouses. Specifically, the joint resolution would allow the same ad valorem tax discount on homestead property for combat-disabled veterans age 65 or older to carry over to the surviving spouse of a veteran receiving the discount if the surviving spouse holds the legal or beneficial title to the homestead, permanently resides thereon, and does not remarry. The discount would apply to the property until the surviving spouse remarries, sells, or otherwise disposes of the property. If the spouse sells the property, a discount not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence, as long as the residence is used as the surviving spouse's permanent residence and he or she does not remarry.

A joint resolution proposing an amendment to the Florida Constitution must be passed by three-fifths of the membership of each house of the Legislature. The Constitution requires 60 percent voter approval for passage of a proposed constitutional amendment.

HB 921 **Dept. of Agriculture** – *Effective date July 1, 2020; if approved by Governor*

The bill addresses various issues related to agriculture and certain powers and duties of the Department of Agriculture and Consumer Services (department). Specifically, the bill:

Agricultural Loads on Vehicles

- Eliminates the 20-mile maximum distance requirement that vehicles transporting agricultural products may travel without covering and securing the load.

Recreational Vehicles

- Provides a new definition for the term “recreational vehicle;”
- Requires the department to adopt rules specifying requirements for agents to administer written competency examinations;
- Requires the department to establish a separate competency examination for a license to engage in activities solely related to the service and repair of recreational vehicles;
- Authorizes certain qualifiers and master qualifiers to engage in activities solely related to the service and repair of recreational vehicles; and
- Requires verifiable liquefied petroleum gas experience or professional certification by a liquefied petroleum gas manufacturer in order to apply for certification as a master qualifier.

Pest Control Trust Fund

- Extends the expiration date of the department’s authority to use funds from the Pest Control Trust Fund to carry out the division’s duties to June 30, 2024.

State Hemp Program

- Modifies the definition of “hemp extract;”
- Clarifies the way hemp products should be packaged and labeled;
- Provides that hemp extract sold in violation of the law shall be considered adulterated or misbranded; and
- Prohibits the sale of products that are intended for inhalation and contain hemp extract from being sold to a person who is under the age of 21.

Forest Service Firefighters

- Requires the Florida Forest Service firefighter training curriculum to include a minimum of 40 hours each of structural firefighter training and emergency medical training;
- Requires a minimum of 376 hours of wildfire training; and
- Provides Wildland Firefighter training and certification.

Aquaculture

- Authorizes the department to revoke an aquaculture certificate of registration if it determines that aquaculture is not the primary purpose of the certified entity’s operation.

SB 936 **Disability Retirement Benefits - Effective Date July 1, 2020**
if approved by Governor

The bill provides a veteran with another option in establishing a proof of disability when he or she seeks a disability retirement benefit under the Florida Retirement System (FRS). Current law requires the FRS member, in establishing a proof of disability, to submit a certification of the members' total and permanent disability from two licensed physicians of the state, or of the state in which the member works full time. Under the bill, an FRS member who is receiving care at a federal Veterans Health Administration facility may alternatively offer two of that facility's physicians' certifications as proof of the member's total and permanent disability, regardless of where the physician is licensed.

The bill is not expected to impact state or local revenues or expenditures.

HB 7039 **Repeal of Advisory Bodies and Programs – Effective date July 1, 2020; if**
approved by Governor

The bill abolishes specific advisory bodies and programs that are no longer active, necessary, or beneficial to the furtherance of a public purpose. Specifically, this bill abolishes the following entities and the statutory references relating to:

- Citrus/Hernando Waterways Restoration Council;
- My Safe Florida Home Program Advisory Council;
- Ad hoc committee for the Great Floridian Program within the Department of State;
- Geneva Freshwater Lens Task Force;
- Brownfield Areas Loan Guarantee Council;
- Non-mandatory Land Reclamation Committee;
- Sturgeon Production Working Group;
- Trap Certificate Technical Advisory Appeals Board;
- Clean Fuel Florida Advisory Board;
- Technical advisory council for water and domestic wastewater operator certification;
- Technical advisory panels for Florida Health Choices, Inc.;
- Technical advisory panel relating to result-oriented accountability program within the Department of Children and Families;
- Learning Gateway steering committee;
- Department of Elderly Affairs Advisory Council;
- Florida Agricultural Promotion Campaign Advisory Council;
- Healthy Schools for Healthy Lives Council;
- Tropical Fruit Advisory Council;
- Board of Governors Advisory board relating to online baccalaureate degree programs; and
- Florida Early Learning Advisory Council.

Health & Human Services

HB 59 **Automated Pharmacy Systems** – *Effective Date July 1, 2020; if approved by Governor*

An automated pharmacy system is a mechanical system that dispenses prescription drugs received from a Florida-permitted pharmacy and maintains related transaction information. Such a system offers some mechanism, either videoconferencing or teleconferencing, by which a pharmacist may counsel a patient at the time of dispensing. CS/CS/HB 59 expands current law to authorize a community pharmacy to provide outpatient dispensing through the use of an automated pharmacy system. The bill establishes criteria for such systems and a community pharmacy's responsibilities when employing such a system.

SB 82 **Individuals with Disabilities** - *Effective Date July 1, 2021; if approved by Governor*

CS/SB 82 makes operational changes to the Medicaid Home and Community-Based Services (HCBS) Waiver to improve the quality of services provided and to standardize agency processes by:

- Requiring waiver support coordinators to be employees of qualified waiver support coordination organizations; and
- Centralizing medical necessity determinations related to significant additional needs requests at the Agency for Persons with Disabilities (APD) headquarters.

The bill eliminates the criteria that APD must consider when authorizing supplemental funding for a significant additional needs request, and instead creates a standard definition of a 'significant additional need.' The bill requires qualified waiver support organizations to document that a HCBS Waiver client (client) has utilized all available resources prior to the submission of a significant additional needs request. The bill requires all service providers to bill for services and submit all required documentation through the agency's electronic client data management system. It also allows the Agency for Health Care Administration to seek federal approval to implement an increased rate for Medicaid intermediate care facilities that serve individuals with developmental disabilities (ICF/DD) who have severe behavioral or mental health needs and establishes a certificate of need (CON) exemption for such ICF/DDs. The bill specifies requirements that an ICF/DD must meet in order to obtain the CON exemption and establishes additional licensure criteria for an ICF/DD that has been granted the CON exemption.

HB 0177 **Prescription Drug Donation Repository Program** - *Effective Date: July 1, 2020; if approved by Governor*

The bill creates the Prescription Drug Donation Repository Program (program) within the Department of Health (DOH) to facilitate the donation and distribution of prescription drugs and supplies to eligible patients in the state. The program:

- Enables Florida residents with valid prescriptions who are indigent, uninsured, or underinsured to receive donated prescription drugs and supplies under the program;

- Specifies a list of entities that may donate prescription drugs or medical devices to the program if the entities meet certain criteria, including nursing homes, hospices, hospitals, pharmacies, drug manufacturers or wholesale distributors, medical device manufacturers or suppliers, and prescribers who receive drugs or supplies directly from a manufacturer, distributor, or pharmacy;
- Requires donated prescription drugs to be approved for medical use in the U.S., be in unopened, tamper-evident packaging, and have an expiration date that is more than three months after the date of donation;
- Limits dispensing of prescription drugs under the program to persons who are licensed, registered, or otherwise permitted by state law;
- Authorizes health care practitioners' offices, pharmacies, hospitals, and nursing home facilities with closed drug delivery systems, and certain free clinics or nonprofit health clinics, to participate in the program as repositories. A repository may accept and dispense eligible donations to eligible patients under the program;
- Provides inspection, inventory, storage, dispensing, recordkeeping, and reporting requirements for repositories;
- Requires the DOH to maintain and publish on its website registries of all participating facilities and available donated drugs and supplies

HB 0389 **Practice of Pharmacy** – *Effective Date July 1, 2020; Approved by Governor;*
Chapter No. 2020-007

CS/HB 389 bill authorizes a pharmacist to enter into a collaborative pharmacy practice agreement (CPPA) with a physician to manage chronic health conditions if the pharmacist meets certain qualifications. A CPPA must meet certain terms and specify the health conditions, treatments, and tests governed by the CPPA. The bill prohibits a collaborating pharmacist from initiating or prescribing a controlled substance or modifying or discontinuing any medication that is prescribed by a health care practitioner who does not have a CPPA with the pharmacist.

The bill authorizes a pharmacist to perform testing or screening for and testing of minor, non-chronic health conditions if the pharmacist meets and maintains certain qualifications.

It requires the Board of Pharmacy to adopt, by rule, a formulary of medicinal drugs that an authorized pharmacist may prescribe to treat minor, non-chronic health conditions. A pharmacist may not prescribe any controlled substance; however, the board-developed formulary may include any non-controlled substance, including those that typically need a prescription to dispense, such as antibiotics, and over-the-counter medications.

HB 389 authorizes a pharmacist to use any Clinical Laboratory Improvement Amendments waived test that guides diagnosis or clinical decision-making, as well as any established screening procedures for which no test is available. Although typically considered non-chronic conditions, the bill explicitly requires pharmacists who test for influenza and streptococcus to do so within the framework of a written protocol with a supervising physician, which must be submitted to the board. The bill establishes minimum criteria for the content of such protocols.

The bill authorizes qualified Florida-licensed pharmacists or registered pharmacy interns to administer any CDC recommended vaccine or vaccine licensed for use in the United States by

the U.S. Food and Drug Administration to an adult. The bill also authorizes pharmacists to provide influenza vaccines to individuals age 7 and older.

HB 0599 **Consultant Pharmacists** – *Effective date July 1, 2020; Approved by Governor; Chapter No. 2020-008*

CS/CS/HB 599 (Chapter 2020-8, L.O.F.) expands the scope of practice of consultant pharmacists. Under the bill, a pharmacist must complete additional training as required by the Board of Pharmacy to be licensed as a consultant pharmacist. A consultant pharmacist may provide medication management services in a health care facility within the framework of a written collaborative practice agreement between the pharmacist and a health care facility medical director, or a physician, podiatrist, or dentist who is authorized to prescribe medicinal drugs.

A consultant pharmacist may only provide medication management services, conduct patient assessments, and order and evaluate laboratory or clinical testing for patients of the health care practitioner with whom the consultant pharmacist has a written collaborative practice agreement.

A written collaborative practice agreement must outline the circumstances under which the consultant pharmacist may:

- Order and evaluate laboratory or clinical tests to promote and evaluate patient health and wellness and monitor drug therapy and treatment outcomes;
- Conduct patient assessments as appropriate to evaluate and monitor drug therapy;
- Modify or discontinue medicinal drugs as outlined in the agreed-upon, patient-specific order or preapproved treatment protocol under the direction of a physician; and
- Administer medicinal drugs. The bill prohibits a consultant pharmacist from modifying or discontinuing medicinal drugs prescribed by a health care practitioner who does not have a written collaborative practice agreement with the consultant pharmacist. The bill does not authorize a consultant pharmacist to diagnose any disease or condition.

HB 607 **Direct Care Workers** – *Effective Date July 1, 2020; Approved by Governor; Chapter No. 2020-009*

HB 607 (Chapter 2020-9, L.O.F.) expands the scope of practice, and defines relevant terms for, registered nurses (RN), certified nursing assistants (CNA), home health aides (HHA), and advanced practice registered nurses (APRN). Effective upon the bill becoming a law, the bill:

- Authorizes nursing home facilities to use paid feeding assistants who have completed a 12-hour program developed by the Agency for Health Care Administration (AHCA). The bill specifies that paid feeding assistants do not count toward a nursing home's minimum staffing standards.
- Authorizes an RN to delegate tasks, including the administration of medications, except controlled substances, to a CNA or HHA for a patient of a home health agency if the RN determines that the CNA or HHA is competent to perform the task, the task is delegable under federal law, and certain other requirements are met.

- Requires the AHCA, in consultation with the Board of Nursing (BON), to establish standards and procedures by rule that a CNA and HHA must follow when administering medication to a patient of a home health agency.
 - Establishes disciplinary actions for RNs who knowingly delegate responsibilities to a person that is not qualified by training, experience, certification, or licensure to perform them.
 - Requires the AHCA to establish an Excellence in Home Health Program and a Nurse Registry Excellence Program to award home health agencies and nurse registries, respectively, based on the achievement of specific standards. The AHCA must adopt rules to establish the criteria for the programs and annually evaluate the home health agencies or nurse registries that apply for the programs.
 - Requires the ACHA to create a direct care workforce survey to be completed and submitted at the biennial license renewal by nursing homes, assisted living facilities, home health agencies, and homemaker and companion service providers. The ACHA must analyze the results of the survey and publish the information monthly on its website. Effective July 1, 2020, the bill:
 - Creates s. 464.0123, F.S., which authorizes an APRN to engage in “autonomous practice” in primary care, including family medicine, general pediatrics, and general internal medicine, as defined by the BON, or, if the APRN is also certified by the American College of Nurse Midwives and as a certified nurse midwife, he or she may engage in the “autonomous practice” of midwifery.
 - Defines “autonomous practice” to mean advanced nursing practice by an APRN who is registered under s. 464.0123, F.S., and who is not subject to supervision by a physician or a supervisory protocol, after documenting the following with the BON:
 - o An active, unencumbered license under s. 464.012, F.S.;
 - o No disciplinary action against his or her license in last five years;
 - o Three thousand clinical hours supervised by a physician in the past five years;
 - o Completion of six college semester hours within the last five years, with three in pharmacology and three in differential diagnosis;
 - o Financial responsibility to pay claims and costs arising out of the rendering of or the failure to render nursing care, treatment, or services in an amount not less than \$100,000 per claim with a minimum annual aggregate of not less than \$300,000; and
 - o Any additional requirements the BON may impose by rule.
- Creates a nine-member Council on Advanced Practice Registered Nurse Autonomous Practice with four physicians, four experienced APRNs, and the State Surgeon General or his or her designee as chair.
- Requires an APRN registered under s. 464.0123, F.S., who wishes to remain registered to renew his or her registration, biennially, with his or her APRN license; and complete at least 10 hours of continuing education approved by the BON, in addition to completing the 30 hours of continuing education requirements established by BON rule, regardless of whether the registrant is otherwise required to complete this requirement. However, if the initial renewal period occurs before January 1, 2021, a registrant is not required to complete these continuing education requirements until the following biennial renewal period.
- Requires the Department of Health (DOH) to conspicuously distinguish an APRN registered under s. 464.0123, F.S., on the registrant’s practitioner profile.

- Requires an APRN registered under s. 464.0123, F.S., and practicing autonomously to disclose to new patients in writing the nature of autonomous practice at the practitioner's initial visit with the patient.
- Requires an APRN registered under s. 464.0123, F.S., and practicing autonomously to report to the DOH defined adverse incidents within 15 days by certified mail.
- Creates additional grounds for discipline for APRNs registered under s. 464.0123, F.S., and practicing autonomously, including:
 - o Paying or receiving any commission, bonus, kickback, or rebate from, or engaging in any split-fee arrangement with a health care practitioner, organization, agency, or person, directly or implicitly, for referring patients to providers of health care goods or services;
 - o Exercising undue influence on a relationship with a patient for purposes of engaging a patient in sexual activity.
 - o Making deceptive, untrue, or fraudulent representations, or employing a trick or scheme, in advanced or specialized nursing practice.
 - o Soliciting patients by the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct;
 - o Failing to keep legible medical records that identify the APRN who is responsible for rendering, ordering, supervising, or billing for each diagnostic or treatment procedure and that justify the course of treatment of the patient;
 - o Exercising undue influence on a patient to exploit the patient for financial gain of the APRN or a third party;
 - o Performing unauthorized professional services, except as provided in ss. 766.103 or 768.13, F.S.;
 - o Performing any procedure or prescribing any therapy that, by the prevailing standards of advanced or specialized nursing practice in the community, would constitute experimentation on a human subject, without first obtaining full, informed, and written consent;
 - o Delegating professional responsibilities to a person not qualified by training, experience, or licensure to perform such responsibilities when the APRN knows, or should have known, the person is not qualified;
 - o Committing, or conspiring to commit, an act that would tend to coerce, intimidate, or preclude another APRN from advertising his or her services;
 - o Advertising or holding himself or herself out as having certification in a specialty that he or she has not received;
 - o Failing to comply with ss. 381.026 and 381.0261, F.S., relating to providing patients with information about their rights and how to file a complaint; and
 - o Providing deceptive or fraudulent expert witness testimony related to advanced or specialized nursing practice.
- Prohibits a major medical, group, blanket, or franchise health insurance policy, small employer health benefit plan, or health maintenance organization contract, any of which is delivered, issued, or renewed on or after January 1, 2021, from requiring an insured or subscriber, as applicable, to receive services from an APRN registered under s. 464.0123, F.S., instead of a physician.
- Amends the Health Care Education Reimbursement and Loan Repayment Program and adds APRNs registered to practice autonomously to the list of health care practitioners who may participate. The bill requires the DOH, from the funds available for the program, to make

payments of up to \$15,000 per year to such APRNs who demonstrate, according to rules of the Department of Education, active employment providing primary care services in a public health program, in independent practice, or a group practice that serves Medicaid recipients and other low-income patients and that is located in a primary care health professional shortage area, as defined in the bill. Only the costs of tuition, books, medical equipment and supplies, uniforms, and living expenses may be covered.

- Appropriates for the 2020-2021 fiscal year: o The sum of \$5 million in recurring funds from the General Revenue Fund to the DOH for the Health Care Education Reimbursement and Loan Repayment Program for APRNs registered under s. 464.0123, F.S.; o Funds from the DOH's Medical Quality Assurance Trust Fund for the DOH to hire 3.5 full-time equivalent (FTE) positions for the purpose of implementing s. 464.0123, F.S., relating to the registration and regulation of APRN autonomous practice; and o Funds from the AHCA's Health Care Trust Fund for the AHCA to hire two FTE positions for the purpose of implementing the Excellence in Home Health Program, the Nurse Registry Excellence Program, and the direct care workforce survey, all of which are created under the bill.

SB 0698 **Reproductive Health** – *Effective Date July 1, 2020; If Approved by Governor*

Under the bill, the Department of Health, the Board of Medicine, or the Board of Osteopathic Medicine may take disciplinary action against the health care practitioner's license if he or she intentionally transfers an embryo or reproductive material into a recipient without the recipient's consent. Additionally, the Department of Health may issue an emergency order suspending the practitioner's license if he or she is found guilty of committing the felony of reproductive battery, which is discussed below.

The bill also requires a health care practitioner, a medical student, or any other student who is receiving training as a health care practitioner to obtain the written consent of a patient or a patient's representative before performing a pelvic exam. Written consent for the pelvic exam is not required if a court orders the exam to collect evidence or if the exam is necessary to avert a serious risk of irreversible impairment of a major bodily function of the patient.

The bill creates the crime of reproductive battery. It is a third degree felony for a health care practitioner to intentionally transfer human reproductive material into the body of a recipient or implant a human embryo of a donor, knowing that the recipient has not consented to the use of the reproductive material or embryo from that donor. If the health care practitioner is the donor of the reproductive material, the penalty is increased to a second degree felony.

HB 713 **Health Regulation** - *Effective Date July 1, 2020; If Approved by Governor*

HB 713 makes numerous updates and changes to programs and health care professions regulated under the Department of Health (DOH) or the Agency for Health Care Administration (AHCA). The bill:

- Provides that the statewide medical director for child protection reports directly to the DOH's deputy secretary in charge of the state's Children's Medical Services Program and the medical director of each child protection teams reports directly to the statewide medical director;

- Substitutes the term “human immunodeficiency virus” (HIV) in place of “acquired immune deficiency syndrome” (AIDS) to authorize the DOH to broaden the scope of the its regional patient care networks for persons with AIDS to also include persons with HIV;
- Grants rulemaking authority to the DOH for responsibilities relating to maximizing the use of existing programs and coordinating stakeholders and resources to develop a state strategic plan, including the process of selecting physicians under the Conrad 30 Waiver Program, and to encourage qualified physicians to relocate to Florida and practice in medically underserved and rural areas;
- Increases the period of time that certain cancer centers may continue to participate in the Florida Consortium of National Cancer Institute Centers Program while seeking National Cancer Institute designation as a cancer center or a comprehensive cancer, until June 30, 2024;
- Modifies the DOH’s rulemaking authority pertaining to minimal standards governing ground ambulance and vehicle equipment and supplies for basic and advanced life support and for ground ambulance and vehicle design and construction;
- Defines “useful beam” radiation as that portion of a radiation beam designed to focus on a specific target and specifies the requirements for the maintenance and operation of a radiation machine, as well as the conditions for use on humans;
- Requires an applicant for a health care professional license to provide his or her date of birth on the application;
- Revises the DOH’s health care practitioner licensing provisions to permit the DOH to issue a temporary license, that expires in 60 days instead of 30 days, to a non-resident or non-citizen physician who has accepted a residency, internship, or fellowship in Florida and has not yet received a social security number;
- Creates an exception to the 15?percent cap for self-referral for diagnostic imaging services normally imposed on solo or group practice settings for group practice entities that own an accountable care organization or an entity operating under an advanced alternative payment model, according to federal regulations, if such entity provides diagnostic imaging services and has more than 30,000 patients enrolled per year;
- Requires the AHCA to create a webpage dedicated to providing information to patients and families about direct care workers, including types, services, and relative relationships with patients;
- Repeals a health care practitioner’s failure to repay student loans as grounds for discipline by the DOH;
- Authorizes the DOH to issue medical faculty certificates to certain full-time faculty members of Nova Southeastern University and Lake Erie College of Osteopathic Medicine;
- Repeals the requirement that the Board of Medicine (BOM) conduct a triennial review of organizations that board-certify physicians in dermatology;
- Revises the composition of the Council on Physician Assistants, under the BOM, from four physicians and one physician assistant, to two physicians and three physician assistants;
- Revises the requirements for osteopathic internships and residencies to include those accredited by the Accreditation Council for Graduate Medical Education;
- Deregulates registered chiropractic assistants;

- Effective upon the bill becoming a law, extends the sunset of the statutory requirement for the Florida Center for Nursing to provide an implementation study and annual report on the availability of nursing programs and production of quality nurses, to the Governor, the President of the Senate, and the Speaker of the House of Representatives until January 30, 2025;
- Effective upon the bill becoming a law, allows a nursing education program seeking accreditation to apply to the Board of Nursing (BON) for a single extension of not more than two years if the program meets specific criteria and grants the BON rulemaking authority on criteria to qualify for the extension;
- Grants rulemaking authority to the BON to establish standards of practice, including discipline, for certified nursing assistants (CNA);
- Recognizes CNA certification in a U.S. territory or the District of Columbia for certification in Florida and eliminates the element of intent for violations of the practice act by CNAs;
- Defines the supplemental general dentistry education required for dental licensure applicants who have not graduated from a dental school accredited by the American Dental Association (ADA) Commission on Dental Accreditation (CODA) to exclude education in an advanced dental specialty;
- Repeals the requirement that dental and dental hygienist licensure examinations must be graded by Florida-licensed dentists and dental hygienists;
- Effective upon the bill becoming a law and applying retroactively to January 1, 2020, revives, reenacts, and amends statutory provisions relating to health access dental licenses, notwithstanding their sunset on January 1, 2020;
- Requires dentists and dental hygienists to report adverse incidents to the Board of Dentistry (BOD) and gives the BOD rulemaking authority;
- Authorizes an employee or independent contractor of a dental laboratory to engage in onsite consultation with a licensed dentist during a dental procedure and requires a dental laboratory to be inspected at least biennially;
- Requires an athletic trainer to work within his or her scope of practice as defined by the Board of Athletic Trainers (BOAT) and revises the educational and internship requirements for licensure;
- Requires the DOH to issue a single prosthetist-orthotist license to qualified applicants and establishes the educational requirements for dual registration;
- Revises massage therapy licensure requirements to:
- Repeal Board of Massage Therapy (BMT) departmental examinations and require a BMT-specified national examination;
- Eliminate massage apprenticeships as a path to licensure by 2023; and
- Revise the definition of a massage therapy “apprentice” to include only those persons approved by the BMT to study colonic irrigation under a licensed massage therapist;
- Updates the name of the accreditation body for psychology programs and revises the requirements for psychology licensure;
- Limits the Board of Clinical Social Work, Marriage and Family Therapists, and Mental Health Counseling to the issuance of only one additional internship registration;
- Revises the education, clinical, and licensure requirements for marriage and family therapists and licensed mental health counselors, including updating the program accrediting agencies;

- Defines the term “surf pool” to mean a pool that is designed to generate waves for surfing on a surfboard or an analogous surfing device intended for sport;
- Exempts surf pools larger than four acres from supervision as a public swimming or bathing facility by the DOH, if the surf pool is permitted by a local government special use permit in which the local government asserts regulatory authority over the construction of the surf pool and, in consultation with the DOH, establishes through the local government’s special use permitting process the conditions for the surf pool’s operation, water quality, and necessary lifesaving equipment;
- Adds a charge of battery of a vulnerable adult or a patient or resident of a hospital, nursing home, assisted living facility, or other assisted care community to the list of disqualifying offenses under a required level 2 background screening of health care practitioners and employees of health care facilities, regardless of adjudication; and
- Deletes obsolete language and makes technical and conforming changes.

HB 731 **Agency for Health Care Administration** – *Effective Date July 1, 2020; if approved by Governor*

HB 731 addresses statutory authority and duties of the Agency for Health Care Administration (AHCA) relating to the regulation of health care facilities and providers. The bill:

- Extends until June 30, 2024, the deadline for Florida-based cancer centers seeking NCI-designation to achieve such designation, in order to continue participating in the Florida Consortium of National Cancer Institute Centers Program.
- Modifies annual birth center reporting to the AHCA.
- Removes outdated language relating to certificate of need, to allow hospital licenses to correctly reflect the actual bed categories provided by a licensee.
- Reinstates the AHCA’s authority to require hospital adult cardiac programs to participate in national reporting and quality registries.
- Provides, by legislative fiat, rural hospital status to hospitals that were licensed as rural hospitals during the 2010-2011 or 2011-2012 fiscal years, regardless of whether such hospitals continue to qualify for rural status under statutory criteria. Under preexisting law, such legislative fiat would expire July 1, 2021. Under the bill, the deadline is extended through June 30, 2025.
- Repeals an unenforceable annual assessment from ambulatory surgical centers that was ruled unconstitutional.
- Removes provisions requiring fixed inspection time frames for nursing home facilities, hospices, assisted living facilities, and adult family care homes.
- Revises definitions and licensure requirements related to home health agencies.
- Creates an exemption to health care clinic licensure for federally certified providers.
- Removes the ability of a health care clinic to submit a surety bond instead of submitting certain documents as proof of financial ability to operate, in order to satisfy initial licensure requirements.
- Creates risk-based licensure inspections for nurse registries, home medical equipment providers, and health care clinics to provide the AHCA flexibility to inspect high-performing providers less frequently than poor performers.

- Authorizes the AHCA to adopt rules to waive a routine inspection, to waive an inspection for relicensure, or to allow an extended period between inspections for any provider type based upon specified factors.
- Authorizes the AHCA to issue a provisional license to all provider types.
- Revises requirements for the approval of comprehensive emergency management plans for newly-licensed facilities.
- Authorizes the AHCA to collect all legal fees incurred while defending a Medicaid case if the AHCA prevails.
- Clarifies the AHCA's existing statutory authority to conduct retrospective reviews of Medicaid hospital inpatient claims and recover overpayments.
- Revises background screening regulations for health care provider staff.
- Eliminates the AHCA's authority to establish an alternative methodology to the DRG-based prospective payment system for setting reimbursement rates for class III psychiatric hospitals.
- Aligns the state Medicaid anti-kickback law with the federal anti-kickback law.
- Requires the AHCA to extend the term of contracts awarded to Statewide Medicaid Managed Care plans (the Managed Medical Assistance Program, Long-term Care Managed Care Program, and Dental Program) from five years to six years, effectively extending current contracts through December 31, 2024.
- Requires the Florida Center for Health Information and Transparency within the AHCA to publish an annual report identifying health care services with the most significant price variation at statewide and regional levels.
- Expands the list of shoppable health care services that qualify for a shared savings incentive for patients to include services with the most significant price variation. Allows cash and cash equivalent incentives in shared savings incentives.
- Repeals multiphasic health testing center licensure.
- Replaces several legislatively mandated reports with online publications and repeals obsolete reports.

HB 0743 Nonopioid Alternatives – *Effective Date July 1, 2020; If Approved by Governor*

HB 743 amends provisions in s. 456.44, F.S., related to the requirement for a health care practitioner to provide a patient with nonopioid alternatives before treating the patient with opioid drugs that are listed as Schedule II controlled substances. The bill provides an exception to the requirement to provide nonopioid alternatives when treating a patient in an emergency room, a critical care unit, or when the patient is receiving hospice services; eliminates the requirement to provide such alternatives when dispensing or administering Schedule II opioids; and allows information on the nonopioid alternatives to be provided to the patient's representative in addition to the patient directly.

HB 0763 Patient Safety Culture Surveys – *Effective Date July 1, 2020; If Approved by Governor*

The bill requires hospitals and ASCs to use the Hospital or ASC Survey on Patient Safety Culture (SOPS), as applicable, to conduct patient safety culture surveys of facility staff. The facilities must conduct the survey biennially, and submit the data to AHCA in a format specified by rule. The bill requires the facility to conduct the survey anonymously to encourage staff employed by

or working in the facility to complete the survey. The bill authorizes a hospital or ASC to contract to administer the survey, and to develop an internal action plan to identify survey measures to improve upon between surveys, which may be submitted to AHCA.

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

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

HB 0767 **Assisted Living Facilities** – *Effective Date July 1, 2020; if approved by Governor*

The bill amends various provisions in Ch. 429 regulating ALFs. Specifically, the bill:

- Requires AHCA to conduct a full inspection instead of an abbreviated biennial licensure inspection to review key quality-of-care standards for a facility that has a history of class I, class II, or uncorrected class III violations resulting from complaints referred by the State Long-Term Care Ombudsman Program.
- Allows ALFs to admit or retain residents that require the use of assistive devices, which are defined as any device designed or adapted to help a resident perform an action, task, an activity of daily living, a transfer, prevention of a fall, or recovery from a fall.
- Allows ALFs to admit residents that require 24-hour nursing care, or residents that are receiving hospice services, if the arrangement is agreed to by the facility and the resident.
- Allows ALFs to admit residents who are bedridden if they are bedridden for no more than 7 days, or for an ALF licensed as extended congregate care, no more than 14 days.
- Allows the use of certain physical restraints in ALFs, including, full-bed rails and geriatric chairs.
- Amends the Resident Bill of Rights to allow the State Long-Term Care Ombudsman Program to provide assistance to a resident who needs to be relocated due to the closure of the facility.
- Removes the requirement for ALF staff assisting with the self-administration of medication to read the label of the medication to the resident. Instead, the bill requires staff to, in the presence of the resident, confirm the medication is correct and advise the resident of the medication name and purpose.

SB 0810 **Tobacco and Nicotine Products** – *Effective Date January 1, 2021; if approved by Governor*

The bill makes changes to the purchase of tobacco and nicotine products in Florida. Specifically it:

- References persons “21 years of age or older,” rather than “adults,” in the context of mail order, Internet, and remote sales of tobacco. Deletes the definition of “adult.”
- Specifies that foods containing incidental amounts of nicotine will not be regulated as nicotine products.
- Maintains the current-law exemption that allows a person acting within his or her scope of lawful employment to possess tobacco products, even if under age 21.
- Provides for a limited retail tobacco products dealer permit for those retail sellers that indicate an intent to only deal, at retail, in liquid nicotine products, nicotine products, or vapor-generating electronic devices, or a combination thereof, with no fee associated with the limited permit.
 - Prohibits a retailer with a limited permit (as described above) from dealing in Florida, at retail, in loose tobacco leaves, products made from tobacco leaves, in whole or in part, and cigarette wrappers, which can be used for smoking, sniffing, or chewing.
- Provides that any retailer that pays the annual permit fee for a retail tobacco products dealer permit may deal, at retail, in all tobacco products.
- Provides an effective date of January 1, 2021, instead of October 1, 2020, as in the underlying bill.

SB 828 **Florida ABLE Program** – *Effective date upon becoming law; signed by Governor on 4/9/2020*

SB 828 saves from repeal Florida ABLE, Inc., a direct-support organization for the Florida Prepaid College Board. Florida ABLE Inc. administers the Florida ABLE Program, a program that allows individuals to make tax exempt contributions to meet certain expenses associated with a disabled beneficiary.

HB 835 **Alzheimer's Disease** – *Effective date July 1, 2020; if approved by Governor*

In Florida, an estimated 560,000 individuals have Alzheimer’s disease. The Alzheimer’s Disease Advisory Committee (Committee) advises the Department of Elder Affairs (DOEA) on matters regarding individuals with Alzheimer’s disease and their caretakers. The Committee is required to submit an annual report to the Governor, the Legislature, and the Secretary of DOEA including recommendations on Alzheimer’s disease policy, state funded Alzheimer’s disease efforts, and proposed updates to the Alzheimer’s disease state plan initially created by the 2012 Purple Ribbon Task Force. DOEA is required to review and update the Alzheimer’s disease state plan using the report submitted by the Committee and submit it to the Governor and Legislature every three years.

The bill directs all state agencies to provide assistance to the Committee, upon request. It updates the name of Orlando’s AdventHealth Memory Disorder Clinic (MDC) in statute, ensuring this MDC receives its designated state funding. The bill creates the position of Dementia Director within DOEA, to be appointed by the Secretary of DOEA. This position will collaborate with other state and local entities to facilitate programs supporting those living with Alzheimer’s disease and other related forms of dementia and their caregivers.

SB 994 **Guardianship** – *Effective date July 1, 2020; if approved by Governor*

The bill revises the guardianship statutes to ensure that a ward’s personal and property interests are carefully protected by and from a guardian.

The bill:

- Requires a court, when appointing a guardian, to inquire into and consider potential disqualifications and conflicts of interest;
- Specifies that a plenary or limited guardian must obtain court approval before consenting to or obtaining an order not to resuscitate a ward, and when such request is made pursuant to an emergency, court must hold a preliminary hearing within 72 hours after the petition is filed, and: (a) Rule on the relief requested immediately after the preliminary hearing; or (b) Conduct an evidentiary hearing not later than 4 days 10 after the preliminary hearing and rule on the relief requested immediately after the evidentiary hearing.
- Mandates that a petition for appointment of a guardian or professional guardian disclose certain background information about the guardian seeking appointment and whether a less restrictive arrangement, other than a guardianship, could meet the needs of the ward;
- Defines the term “alternatives to guardianship;”
- Prohibits a professional guardian from petitioning for appointment unless the petitioner is a relative of the alleged incapacitated person or minor or the petitioner is a public guardian who seeks appointment for a person of limited financial means and the public guardian will be paid by the Office of Public and Professional Guardians or a local government;
- Specifies that the initial guardianship plan and each annual guardianship plan must include a list of preexisting orders not to resuscitate or preexisting advance directives and certain information about those documents;
- Requires that, in the annual guardianship report, a guardian report any payments or remuneration received from any source for services rendered for the ward;
- Prohibits a guardian from offering, paying, soliciting, or receiving a commission, benefit, or split-fee arrangement in return for engaging in a transaction for goods or services on behalf of an alleged incapacitated person or minor or a ward; and
- Prohibits a guardian from having an interest in a business transaction or activity with certain individuals unless prior approval is granted by a court order or the relationship existed before the guardian was appointed.

HB 1087 **Domestic Violence Services** – *Effective date upon becoming law; Approved by Governor February 27, 2020.*

The bill removes the express requirement for the Department of Children and Families (DCF) to contract with the Florida Coalition Against Domestic Violence (FCADV). The bill does not prohibit DCF and FCADV from contracting for domestic violence services in the future. Further, the bill amends various statutes to remove duties previously held by FCADV.

All functions will now be under DCF, unless DCF chooses to contract for the provision of domestic violence services.

DCF administers the statewide domestic violence program. The program protects adults and their children from domestic violence and helps victims develop ways to avoid further harm. DCF certifies, monitors, and oversees the funding of domestic violence centers. These centers are community-based organizations and serve victims of domestic violence. In 2012, the Legislature amended statute to require DCF to contract with the FCADV to manage the domestic violence programs.

While DCF retains overall authority to certify domestic violence centers, the FCADV is responsible for monitoring, evaluating, and distributing the state and federal funds to the state's domestic violence centers. The express statutory requirement to contract with a specific provider has presented challenges to DCF in overseeing the state's domestic violence services, including DCF's inability to obtain desired contract provisions or complete an audit regarding the organization's spending.

SB 1120 **Substance Abuse Services** – *Effective date July 1, 2020; if approved by Governor*

The bill addresses individuals who have been disqualified from employment with substance abuse treatment or recovery residence service providers following a failed background screening, by requiring the Department of Children and Families (DCF) to provide exemptions from employment disqualification for certain offenses. The bill also applies such exemptions to all payment methods used by federal health care programs, and provides that patient-brokering constitutes a first-degree misdemeanor

The bill amends s. 817.505, F.S., revising the patient brokering statute such that it does not apply to any discount, payment, waiver of payment, payment practice, or payment scheme that is expressly authorized by the federal anti-kickback statute or regulations.

The bill also requires that in order for service provider personnel to be exempted from disqualification for employment due to failed background screenings, the applicant for employment must not have been arrested for any criminal offense within the past 5 years, or 3 years in the case of a peer specialist.

HB 1179 **Nondiscrimination in Organ Transplants** - *Effective date July 1, 2020; if approved by Governor*

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

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

SB 1344 **Intermediate Care Facilities** – *Effective date July 1, 2020; if approved by Governor*

The bill establishes a new certificate of need (CON) exemption for an intermediate care facility for the developmentally disabled (ICFDD) for use by individuals exhibiting severe maladaptive behaviors and co-occurring psychiatric diagnoses requiring increased levels of behavioral, medical, and therapeutic oversight.

The bill specifies requirements that the ICFDD must meet in order to obtain the CON exemption and establishes additional licensure criteria for an ICFDD that has been granted the CON exemption. The bill prohibits the AHCA from granting more than three CON exemptions, and requires the CON exemptions to terminate 18 months after being issued, unless construction on the project has begun.

HB 1373 **Long-term Care** – *Effective date July 1, 2020; if approved by Governor*

The bill amends s. 409.979, F.S., to provide additional clarity for individuals on the Medicaid Long-Term Care Managed Care waitlist regarding the likelihood that he or she will be eligible for services through the program.

The bill provides that personnel of an aging resource center will annually rescreen a person on the waitlist only if that person has a high priority score or upon notification of a significant change in circumstances of a person with a low priority score. Preexisting law requires a rescreening to be conducted annually for all such persons or upon notification of a significant change in the person's circumstances, without regard to the person's priority score.

The bill amends s. 430.205, F.S., to allow a community-care-for-the-elderly service provider to dispute a referral from protective investigations of an elderly adult determined to be in need of services or to be the victim of abuse.

SB 7012 Substance Abuse and Mental Health – Effective date July 1, 2020; if approved by Governor

The bill makes several changes to laws relating to substance abuse and mental health services. Specifically, the bill:

- Redefines “mental illness” related to the Baker Act and post-adjudication commitment to exclude dementia and traumatic brain injury.
- Defines “coordinated specialty care programs” as an essential element of a coordinated system of care and requires the DCF to report annually on any gaps in availability or access in the state. Makes coordinated specialty care programs eligible for Criminal Justice, Mental Health, and Substance Abuse Reinvestment grants.
- Allows licensed health care professional and facilities to contract with the DCF and managing entities to provide mental health services without obtaining a separate license from the DCF.
- Broadens the scope and duties of the Statewide Office of Suicide Prevention (Statewide Office) in the Department of Children and Families (DCF) by requiring the Statewide Office to coordinate education and training curricula on suicide prevention efforts for veterans and services members.
- Creates the First Responders Suicide Deterrence Task Force within the Statewide Office to assist in the reduction of suicide rates of first responders.
- Broadens the scope and duties of the Suicide Prevention Coordinating Council by requiring the Council to make recommendations on the implementation of evidence-based mental health programs and suicide risk identification training and adds five new members to the Council.
- Requires Baker Act receiving facilities to provide suicide prevention information resources to minors being released from a facility.
- Requires county jails to administer the psychotropic medications prescribed by the DCF when a forensic client is discharged and returned to the county jail, unless the jail physician documents the need to change or discontinue such medication.
- Requires the DCF treating physician to consult with the jail physician and consider prescribing medication included in the jail’s drug formulary.
- Requires county jails to send to the DCF all medical information on individuals in their custody who will be admitted to a state mental health treatment facility. Requires the DCF to request this information immediately upon receipt of a completed commitment packet and requires the county jail to provide such information within three business days of the request.
- Removes the requirement for prevention coalitions to be certified by the DCF.

Insurance and Banking

SB 292 **Insurance Claims Data** – *Effective Date January 1, 2021; if approved by Governor*

The bill requires admitted and non-admitted insurance carriers to provide a loss run statement to an insured within 15 days of receipt of a written request submitted by the insured. For personal lines of insurance, an insurance carrier may instead provide the insured with information on how to obtain a loss run statement at no charge through a consumer reporting agency. The insurance carrier must notify the agent of record that the loss run statement was provided electronically or made available through an electronic portal. The loss run statement must include a loss run history for the preceding 5 years or, if the loss run history is less than 5 years, a complete loss run history with the insurance carrier. The bill specifies that an insurance carrier is not required to provide loss reserve information as part of a loss run statement. The insurance carrier may not charge a fee for preparing or annually providing one loss run statement.

HB 0747 **Coverage for Air Ambulance Services** – *Effective Upon Becoming a Law; If Approved by Governor*

The bill requires health insurers and health maintenance organizations (HMOs) to provide reasonable reimbursement to air ambulances for covered services. The bill defines the term, “reasonable reimbursement,” to mean reimbursement that considers the direct cost to provide air ambulance transportation service to an insured or subscriber, the operation of an air ambulance service by a county that operates entirely within a designated area of critical state concern, and the in-network reimbursement established by the insurer or HMO for the specific policy or contract.

The bill provides that reasonable reimbursement may be reduced only by applicable copayments, coinsurance, and deductibles. Further, the bill provides that payment in full by the insured or subscriber of his or her cost-sharing obligations constitutes an accord and satisfaction of, and a release of, any claim for monies owed by the insured or subscriber in connection with the air ambulance service.

Currently, patients who are transported by air ambulance providers that are outside of provider networks of their respective insurer or HMO are at financial risk for balance billing, which is the difference between prices charged by providers and the payment rates established by insurers or HMOs. Any balance billing incurred by a patient is in addition to copayments or other types of cost-sharing typically paid under the insurance policy or HMO contract.

HB 813 **Protection of Vulnerable Investors** – *Effective date July 1, 2020; if approved by Governor*

The bill allows a dealer or investment adviser to delay a disbursement or transaction of funds or securities from the account of a specified adult or an account for which a specified adult is a beneficiary or beneficial owner if the dealer or investment adviser reasonably believes that financial exploitation of the specified adult has occurred, is occurring, has been attempted, or will be attempted in connection with the disbursement or transaction. A specified adult is an

individual who is age 65 or older or who meets the definition of “vulnerable adult” under Florida’s Adult Protective Services Act (APS Act).

SB 1092 **Fire Prevention and Control** - *Effective date July 1, 2020; if approved by Governor*

The bill creates the Firefighter Cancer Decontamination Equipment Grant Program within the Division of the State Fire Marshal to provide financial assistance to qualifying fire departments to help procure equipment, supplies, and educational training material designed to mitigate exposure to hazardous, cancer-causing chemicals.

The bill authorizes the State Fire Marshal to adopt rules and procedures to administer the program, including for the approval of applications and development of need-based criteria. Need-based criteria must include, but are not limited to, the decontamination equipment and supply needs of the fire department, the financial needs of the fire department, and the level of non-state matching funds proposed in the application.

The bill requires grant recipients to:

- Obtain a minimum 25 percent nonstate funds;
- Report their activity to the Division of State Fire Marshal for submission in the Fire and Emergency Incident Information Reporting System;
- Comply with the Florida Firefighters Occupational Safety and Health Act; and
- Comply with any other rule determined by the State Fire Marshal to effectively implement, administer, and manage the program.
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For Fiscal Year 2020-2021, the bill appropriates \$250,000 in general revenue funds to implement the program.

HB 1189 **Genetic Information for Insurance Purposes** – *Effective date July 1, 2020; if approved by Governor*

The bill provides that life insurers and long-term care insurers may not cancel, limit, or deny coverage or establish differentials in insurance rates based on genetic information. Such insurers also may not require or solicit genetic information, use genetic test results, or consider a person’s decisions or actions relating to genetic testing in any manner for any insurance purpose.

The bill applies to life insurers and long-term care insurers the existing prohibitions that apply to health insurers. The bill specifies that these prohibitions do not prevent a life insurer or long-term care insurer from accessing an individual’s medical record as part of an application exam or considering a medical diagnosis included in the medical record, even if a diagnosis was made based on the results of a genetic test.

The bill applies to policies entered into or renewed on or after January 1, 2021.

HB 1409 Pub. Rec./Records of Insurers/Department of Financial Services – Effective date July 1, 2020; if approved by Governor

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

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

HB 1439 Bank Property of Deceased Account Holders - Effective date July 1, 2020; if approved by Governor

The bill authorizes a financial institution to pay the family member of a deceased deposit account holder, without any additional court proceeding, order, or judgment authorizing the payment, the funds on deposit in all qualified accounts, if the total amount of such funds does not exceed \$1,000. The bill allows family members of a deceased deposit account holder to claim such funds upon presentation of the decedent's death certificate and an affidavit stating that the family member is entitled to the funds, that he or she is not aware of a will, that a personal representative has not been appointed to administer the estate, that no probate proceeding has commenced for the account holder's estate, and that he or she expressly accepts liability for the disbursement of the funds. The bill provides criminal penalties for making a false statement in the affidavit, classifying such action as theft. The bill releases a financial institution from liability upon its disbursement of funds to an affiant and expressly provides that the financial institution is not required to verify the content of the affidavit.

The bill also authorizes the distribution of small intestate estates without probate administration or other "formal proceedings." "Small intestate estates" means estates consisting of personal property exempt from creditor claims under the State Constitution or exempt under s. 732.402, F.S., and nonexempt personal property that does not exceed the sum of \$10,000 and the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness. To claim the property of these estates, an heir of a person who has been deceased for at least one year must file an affidavit with the court, which in turn provides the heir with a letter authorizing anyone holding the decedent's property to release it to the heir. The required content of the affidavit is

designed to demonstrate to the court that the rights of any creditors and other heirs are and will be protected.

SB 1606 **Insurance Administration** - *Effective date July 1, 2020; if approved by Governor*

The bill makes the following changes regarding insurance:

- Requires that an electronic signature used to satisfy the signature requirement for a salvage certificate of title must be executed using a system providing a Level 2 authentication level;
- Requires insurers to file with the Department of Financial Services (DFS or department) the name and email address of the person who will receive civil remedy notices;
- Amends the civil remedy notices' statute of limitations when an appraisal is invoked from 60 days after it is invoked instead of 65 days after mailing of notice;
- Prohibits the DFS and the Office of Insurance Regulation (OIR) from disseminating aggregated information if it contains trade secret information that can be individually extrapolated;
- Expands the Florida Insurance Code to include a new chapter of statutes to regulate the transaction of travel insurance based on the National Association of Insurance Commissioners (NAIC) Model Act.

Judiciary

HB 131 **Security in Trial Court Facilities** - *Effective Date July 1, 2020; If Approved by Governor*

The bill addresses the decision-making authority and responsibilities of the chief judge of a circuit court and the county sheriff in providing court security. In a recent opinion by the Second District Court of Appeal, the court resolved the competing claims of authority and responsibility at issue in the case by holding that a chief circuit judge may require a sheriff in the circuit, because the sheriff is an officer of the court, to comply with the judge's order requiring the sheriff to provide security at court facilities.

The bill reiterates that sheriffs are officers of the court, and requires each sheriff to coordinate with his or her local chief judge and county commissioners in developing a court security plan. However, the bill provides that sheriffs retain authority to implement and provide law enforcement services associated with the plan. Finally, the bill provides that the chief judge retains decision-making authority to carry out his or her administrative functions concerning the protection of due process rights and the scheduling and conduct of trials and other judicial proceedings.

SB 344 **Courts - Effective Date July 1, 2020; If Approved by Governor**

The bill clarifies ambiguities in current law to better enable public guardians to meet the needs of their incapacitated wards. The bill clarifies that public guardians are exempt from paying any court-related fees or charges for accessing public records. The bill also requires courts to waive court costs and filing fees in proceedings involving the appointment of a public guardian or the estate of a public guardian's ward.

In an effort to make the evaluation process more efficient, the bill allows a physician assistant or advanced practice registered nurse to complete a ward's annual medical evaluation and prepare and sign the report for the court, when the physician delegates that responsibility. Currently, only physicians are allowed to conduct the annual medical exams and prepare the reports.

SB 374 **Housing Discrimination – Effective upon becoming law if approved by Governor**

The bill "extinguishes" "discriminatory restrictions" from certain real estate documents, such as deeds, and clarifies that under the Florida Fair Housing Act a victim of housing discrimination is not required to exhaust administrative remedies before filing a civil action.

Current federal and state law prohibit discrimination on the basis of race and several other characteristics in the sale, lease, or use of real property. Nonetheless, discriminatory restrictive covenants and other instruments remain in the records of many counties and can still be found in a title search. Moreover, current law does not appear to provide a way to strike or otherwise disavow these provisions in the public records.

The bill "extinguishes" "discriminatory restrictions" from title transactions, such as deeds, and expressly states that the restrictions are unlawful, unenforceable, and null and void. The bill also provides for summary removal of discriminatory restrictions from the governing documents of a property owners' association.

Additionally, the bill clarifies that under the Florida Fair Housing Act (FFHA) an alleged victim of housing discrimination may file a civil action regardless of whether:

- He or she has filed a complaint with the Florida Commission on Human Relations;
- The Commission has resolved a complaint (if the victim chose to file one); or
- Any particular amount of time has passed since the victim filed a complaint with the Commission.

Alternatively, a victim may proceed directly to filing a petition with the Division of Administrative Hearings.

SB 664 **Verification of Employment Eligibility – Effective Date July 1, 2020 If Approved by Governor**

The bill requires public employers, contractors, and subcontractors to use E-Verify, and requires private employers to use E-Verify or to use the Form I-9 and maintain copies of the documents used to complete the I-9 for 3 years. E-Verify is a free, Internet-based system through which an

employer may quickly confirm that a newly hired employee is authorized to work in the United States.

The bill requires a party to a public contract to terminate the contract if it believes in good faith that another party is employing an unauthorized alien or is not registered with and using E-Verify. However, a contractor whose contract is terminated for failing to use E-Verify or for knowingly employing an unauthorized alien is liable for any additional costs incurred by the public employer resulting from the termination.

To enforce the eligibility-verification requirements for private employers, the bill requires an employer to provide an employee's eligibility-verification documents to any of several government agencies upon request. These agencies, in turn, must request the federal government to check the employee's work-eligibility status.

Moreover, if a private employer does not use E-Verify or the bill's I-9 procedure to verify and document an employee's eligibility for employment, the Department of Economic Opportunity must send the employer a notice, and the employer must terminate any unauthorized employees, begin using E-Verify or the bill's I-9 procedure, and respond with an affidavit of compliance within 30 days. If the employer does not do so, it faces the potential suspension of its business licenses. If an employer fails to properly respond to a DEO notice three times in any 36 month period, it could permanently lose its business licenses.

Employers and contractors have until January 1, 2021 to begin verifying employment eligibility as required in the bill.

SB 698 **Reproductive Health - Effective Date July 1, 2020 If Approved by Governor**

The bill establishes protections for people who are dealing with infertility and seek medical assistance to artificially conceive a child.

Under the bill, the Department of Health, the Board of Medicine, or the Board of Osteopathic Medicine may take disciplinary action against the health care practitioner's license if he or she intentionally transfers an embryo or reproductive material into a recipient without the recipient's consent. Additionally, the Department of Health may issue an emergency order suspending the practitioner's license if he or she is found guilty of committing the felony of reproductive battery, which is discussed below.

The bill also requires a health care practitioner, a medical student, or any other student who is receiving training as a health care practitioner to obtain the written consent of a patient or a patient's representative before performing a pelvic exam. Written consent for the pelvic exam is not required if a court orders the exam to collect evidence or if the exam is necessary to avert a serious risk of irreversible impairment of a major bodily function of the patient.

The bill creates the crime of reproductive battery. It is a third degree felony for a health care practitioner to intentionally transfer human reproductive material into the body of a recipient or implant a human embryo of a donor, knowing that the recipient has not consented to the

use of the reproductive material or embryo from that donor. If the health care practitioner is the donor of the reproductive material, the penalty is increased to a second degree felony.

The statute of limitations for prosecuting the crime of reproductive battery does not begin to run until the date that the violation is discovered and reported to a law enforcement agency or any other governmental agency. Additionally, it is not a defense to the crime that the recipient consented to the use of an anonymous donor.

SB 738 **Jury Service** – *Effective date July 1, 2020; if approved by Governor*

The bill allows students who are 18 to 21 years of age to be excused from a specific jury summons upon request if they are enrolled as a full-time student at a high school, state university, private post-secondary educational institution, Florida College System institution, or career center.

The bill will not affect jury service for students older than 21 years of age.

SB 1392 **Courts** - *Effective date July 1, 2020; if approved by Governor*

The bill provides that a District Court of Appeal (DCA) judge who lives more than 50 miles from his or her DCA's courthouse or other headquarters is eligible to have an alternative official headquarters and to be reimbursed for trips between these locations. Additionally, the bill expands the list of work-travel expenses for which a Supreme Court justice may be reimbursed. Finally, the bill transfers much of the appellate jurisdiction of the circuit courts to the DCAs. A DCA judge who is approved for an alternative headquarters is eligible for reimbursement of the cost of the travel, lodging, and meals necessitated by travel to the DCA courthouse.

However, the bill prohibits the payment of state funds for use of the space.

As to Supreme Court justices, the bill provides for reimbursement of additional expenses incurred on work-related trips compared to current law and allows a justice, with approval of the Chief Justice, a choice in how his or her reimbursement amount is determined.

Finally, the bill changes the appellate jurisdiction of the circuit courts and DCAs by:

- Eliminating the authority of the circuit courts to hear appeals from county courts in civil and criminal cases; and
- Specifying that a county court's final judgment must be appealable to the circuit court for the county court to have the option to certify a question involved in the judgment to the DCA.

Infrastructure and Security

HB 971 **Electric Bicycles** – *Effective date July 1, 2020; if approved by Governor*

The bill addresses the definition and operation of electric bicycles (e-bikes) within a three-tiered classification system, revising a number of related definitions. The bill creates regulations

governing the operation of e-bikes, affording an e-bike or e-bike operator with all of the rights and privileges, and subjecting them to all of the duties, of a bicycle or bicycle operator.

E-bikes are authorized to operate where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths. However, the bill provides that the new e-bike regulations may not be construed to prevent a local government from regulating the operation of e-bikes on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; or to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an e-bike on such paths or trail networks.

The bill provides that an e-bike or an e-bike operator is not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles. Additionally, the bill sets out labeling requirements for manufacturers and distributors of electric bicycles and prohibits tampering with or modifying an electric bicycle unless the label is replaced after modification.

Lastly, the bill makes a number of technical and conforming changes throughout related statutory provisions.

HB 1039 **Transportation Network Companies** – *Effective date upon becoming a law; if approved by Governor*

The bill establishes a regulatory framework for digital advertising on transportation network company (TNC) vehicles and for luxury ground TNC (LGTNC) vehicles. Specifically, the bill:

- Defines the term “transportation network company digital advertising device” or “TNC digital advertising device;” authorizes a TNC driver or his or her designee to contract with a company to install a TNC digital advertising device (DAD) on a TNC vehicle, which is a part of the vehicle; and provides equipment, operational, lighting, and testing requirements for a TNC DAD.
- Prohibits a TNC DAD from displaying advertisements for illegal products or services or that include nudity or violent images and subjects displayed advertisements to the Florida Deceptive and Unfair Trade Practices Act (FDUTPA).
- Provides immunity from liability for display of an advertisement in violation of the FDUTPA or the new section of law created by the bill for:
 - o A TNC, TNC driver, TNC vehicle owner, or an owner or operator of a TNC DAD, unless the TNC, TNC driver, TNC vehicle owner, or an owner or operator of a TNC DAD had actual knowledge that the advertisement constitutes a violation.
 - o A TNC that is not the owner or operator of a TNC DAD that displays an advertisement on a TNC DAD, unless the advertisement is displayed on behalf of the TNC.

- Exempts a TNC from liability under general law by reason of owning, operating, or maintaining the digital network accessed by a TNC driver or rider, or by being affiliated with a TNC driver, for harm to persons or property resulting or arising out of the use, operation, or possession of a motor vehicle operating as a TNC vehicle while the driver is logged on to the digital network if:
 - o There is no negligence or criminal wrongdoing on the part of the TNC;
 - o The TNC has fulfilled all of its obligations under s. 627.748, F.S., with respect to the TNC driver; and
 - o The TNC is not the owner or bailee of the motor vehicle that caused the harm.
- Provides that a motor vehicle that is compliant with the Americans with Disabilities Act and is owned and used by a company that uses a digital network to facilitate prearranged rides to persons with disabilities for compensation may be used as a TNC vehicle.
- Revises and provides definitions to delete references to “for-hire vehicles” as the term relates to TNCs, effectively deeming TNC vehicles as for-hire vehicles providing for-hire vehicle service.
- Defines the term “luxury ground transportation network company” or “luxury ground TNC” to mean a company that:
 - o Meets the requirements relating to election to be regulated as an LGTNC, and
 - o Uses its digital network to connect riders exclusively to drivers who operate for-hire vehicles, including limousines and luxury sedans and excluding taxicabs.
- Authorizes an entity to elect, upon written notification to the Department of Financial Services, to be regulated as an LGTNC. The bill requires an LGTNC to:
 - o Comply with all of the requirements of s. 627.748, F.S., applicable to TNCs which do not conflict with insurance coverage requirements or which do not prohibit the company from connecting riders to drivers who operate for-hire vehicles, including limousines and luxury sedans and excluding taxicabs; and
 - o Maintain at all times insurance coverage as required by s. 627.748(7), F.S. The minimum insurance requirements applicable to a vehicle are dependent upon whether the vehicle is being operated as a limousine, or as an LGTNC.
- Authorizes a prospective LGTNC that satisfies minimum financial responsibility requirements at the time of written notification to the department by using self-insurance to continue to use self-insurance. Includes LGTNCs, LGTNC drivers, and LGTNC vehicles in existing provisions relating to preemption to the state of regulation of TNCs, TNC drivers, and TNC vehicles, thereby preempting to the state regulation of LGTNCs, LGTNC drivers, and LGTNC vehicles.

HB 1135 **License Plates** – *Effective date October 1, 2020; if approved by Governor*

There are over 120 specialty license plates available to any motor vehicle owner or lessee who is willing to pay the annual use fee for such plate. The Department of Highway Safety and Motor Vehicles (DHSMV) distributes the collected fees to statutorily designated organizations in support of a particular cause or charity. DHSMV must discontinue the issuance of an approved specialty license plate if it fails to meet certain statutory requirements.

The bill makes several changes related to specialty and special license plates. The bill:

- Establishes a cap of 150 specialty license plates and provides a process for the discontinuation of low performing specialty license plates and the addition of new specialty license plates.
- Authorizes DHSMV to issue specialty license plates for fleet and motor vehicle dealer vehicles.
- Creates new specialty license plates and specifies the design of the plate and the distribution of the associated annual use fees.
- Revises provisions regarding existing specialty license plates and repeals specified discontinued specialty license plates.

SB 7018 **Essential State Infrastructure** – *Effective date July 1, 2020; if approved by Governor*

The bill contains various provisions relating to essential state infrastructure, including provisions relating to emergency staging areas, utility permit application processing for use of county or municipal rights-of-way, development of a recommended plan for electric vehicle charging stations along the State Highway System, and use of agricultural land subject to a conservation easement for construction of a public or private linear facility and right of access.

Specifically, the bill:

- Authorizes the Florida Department of Transportation (FDOT) to plan, design, and construct staging areas for emergency response on the turnpike system. These areas are for the staging of emergency supplies, equipment, and personnel to facilitate the prompt provision of emergency assistance to the public in response to a declared state of emergency;
- Directs the FDOT, in consultation with the Division of Emergency Management, to consider specified factors when selecting a proposed site; authorizes the FDOT to acquire property necessary for such staging areas; and requires the FDOT to give priority consideration to placement of such staging areas in counties with a population of 200,000 or less in which a multi-use corridor of regional significance is located;
- Grants the FDOT power to authorize other uses of a staging area and requires that staging-area projects be included in the FDOT's work program;
- Provides that a permit application by a county or municipality to use the right-of-way on any public road for a utility must be processed and acted upon within the expedited time frames of the "Advanced Wireless Infrastructure Deployment Act," s. 337.401(7)(d)7.,8., and 9., F.S.;

- Requires the FDOT, in coordination with the Public Service Commission (PSC) and the Office of Energy within the Department of Agriculture and Consumer Services, and any other public or private entities as necessary or appropriate, to develop and recommend a master plan for the development of electric vehicle charging station infrastructure along the State Highway System.

The bill sets out a number of legislative findings and sets up a division of the workload between the FDOT and the PSC of goals and objectives of the recommended plan based on area of expertise;

- Authorizes the FDOT, the PSC, and the Office of Energy to agree to explore other issues deemed necessary or appropriate for purposes of the required report and requires the recommended master plan to be developed and submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2021. The plan must include recommendations for legislation and may include other recommendations as determined by the FDOT. The bill also requires the FDOT, by December 1, 2020, to file a status report containing any preliminary recommendations, including recommendations for legislation to the Governor, the President of the Senate, and the Speaker of the House; and
- Clarifies that ss. 570.71 and 704.06, F.S., not be interpreted to prohibit lands traditionally used for agriculture that are subject to a conservation easement from being utilized for the construction of any public or private linear facility and right of access, if such rights are voluntarily negotiated.

Innovation, Industry & Technology

HB 1193 **Deregulation of Professions and Occupations – *Effective date July 1, 2020; if approved by Governor***

The “Occupational Freedom and Opportunity Act,” relates to businesses and professions regulated by the Department of Business and Professional Regulation (DBPR) and health professionals regulated by the Department of Health (DOH).

The bill:

- Repeals the authority of the DOH and the DBPR to suspend or revoke a professional license because of a default on a student loan or failure to comply with service or work conditional scholarship obligations;
- Waives the requirement to pass the commercial driver license skills test for a military service member or veteran with specified training;
- Provides an exemption from the requirement to be licensed as a dietitian or nutritionist for a person who provides information, wellness recommendations, or advice concerning nutrition, or who markets food, food materials, or dietary supplements for remuneration if the person does not provide such services to a person under the direct care of a medical doctor for a medical condition requiring nutritional intervention and does not represent

themselves as a dietitian or nutritionist or as a licensed or registered dietitian or nutritionist;

- Permits certain employees or agents of public and private animal shelters, humane organizations, and animal control organizations to implant radio identification microchips in dogs and cats, and permits such persons to contact the person listed on the identification microchip to verify pet ownership;
- Provides additional continuing education option for licensed landscape architects by authorizing such professionals to receive hour-for-hour credit for certain approved continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education.
- Increases the maximum contract price from \$1,000 to \$2,500 for the “handyman exception,” which permits an unlicensed person to perform services that fall within the scope of a contractor’s license;
- Permits a person who has received a Bachelor of Arts degree from an accredited four year college and has a 3.0 GPA to qualify for a contractor’s license if the person only passes the finance portion of the license examination;
- Preempts the regulation of mobile food dispensing vehicles (food trucks) to the state to prohibit local government (but not port authorities, aviation authorities, airports, or seaports) from requiring a license, registration, or permit, and prohibiting the operation of food trucks in the entirety of their jurisdiction; and
- Revises the membership of the Florida Building Commission and reduces its membership from 27 members to 19 members.

The bill repeals license or registration requirements for the following businesses or professions regulated by the DBPR:

- Labor organizations and their business agents;
- Hair braiders, hair wrappers, and body wrappers; and
- Boxing announcers and timekeepers.

The regulation of interior design is revised by the bill to provide for a voluntary certificate of registration to practice interior design in place of the current license requirement. A certificate of registration is not required to practice interior design. To qualify for registration, an interior designer must have satisfactorily passed a qualification examination. Only a registered interior designer may use a seal issued by the DBPR if a seal is required by the permitting authority when submitting documents for the issuance of a building permit. The bill reduces the biennial fee to register as an interior designer to a fee of no more than \$75 (from a fee of no more than \$500).

The bill repeals the requirement that a yacht and ship broker must have a separate license for each branch office. It repeals the license requirement for cosmetology salons, and also eliminates the additional business organization for the following professional licensees:

- Architects and interior designers;
- Landscape architects; and
- Geologists.

The bill provides additional options or reduces the requirements for the following professionals, if licensed in another state, to qualify for a professional license in Florida:

- Building code administrators and inspectors;
- Home inspectors;
- Engineers;
- Certified public accountants;
- Veterinarians;
- Barbers;
- Cosmetologists;
- Architects;
- Construction contractors;
- Electrical and alarm contractors;
- Landscape architects; and
- Geologists.

Effective January 1, 2021, the bill reduces the minimum:

- Hours of training required for a barber's licensure from 1,200 hours to 900 hours.
- Hours of continuing education required for the biennial renewal of a cosmetology license from 16 hours to 10 hours.
- Training hours required to be registered as a nail, facial, or full specialist.

HB 1391 **Technology Innovation** – *Effective date July 1, 2020, except for the Financial Technology Sandbox, which takes effect January 1, 2021; if approved by Governor*

The bill abolishes the Division of State Technology within the Department of Management Services and establishes the Florida Digital Service and the Division of Telecommunications within the department.

The bill also creates the Financial Technology Sandbox within the Office of Financial Regulation.

Florida Digital Service

The bill tasks the Florida Digital Service (FDS) with creating innovative solutions that securely modernize state government, achieving value through digital transformation and interoperability, and supporting the previously established cloud-first policy. The bill requires the FDS to develop a comprehensive enterprise architecture and addresses how information technology infrastructure may be modernized to achieve cloud-first objectives, with interoperability as a priority. The bill directs the FDS, contingent on an appropriation, assist agencies with the deployment of new interoperability applications or solutions. It provides procedures for Cabinet agencies to adopt alternatives for enterprise architecture standards for data interoperability.

Financial Technology Sandbox

The bill creates the Financial Technology Sandbox, within the Office of Financial Regulation (OFR), to license financial technology innovators to test new products and services within the areas of a regulatory sandbox using exceptions of specified general law and waivers of the corresponding rule requirements under defined conditions in the consumer finance, payment instruments sellers, and money transmitter programs. The bill appropriates \$50,000 in nonrecurring funds for Fiscal Year 2020-2021 from the Administrative Trust Fund to the OFR to implement the Financial Technology Sandbox provisions.

2020-21 Fiscal Year Budget Details

HB 5001 **General Appropriations Act** – *Effective Date July 1, 2020, subject to Gubernatorial Vetoes*

HB 5001, the General Appropriations Act for Fiscal Year 2020-2021, provides for a total budget of \$93.2 billion, including:

- \$35.2 billion from the General Revenue Fund (GR)
- \$2.2 billion from the Education Enhancement Trust Fund (TF)
- \$1.2 billion from the Public Education Capital Outlay Trust Fund (PECO TF)
- \$54.6 billion from other trust funds (TF)

Reserves

Total: \$3.9 billion

- \$1.3 billion in the General Revenue Fund unallocated
- \$1.7 billion in the Budget Stabilization Fund
- \$858 million in the Lawton Chiles Endowment Fund

Major Issues

Education Capital Outlay

Total: \$367.6 million

- Charter School Repairs and Maintenance - \$169.6 million
- Developmental Research School Repairs and Maintenance - \$7 million
- Public School Special Facilities - \$41.3 million
- Other Public School Projects - \$6 million
- Florida College System Projects - \$18.7 million
- State University System Projects - \$112.7 million
- School for the Deaf and Blind Repairs and Maintenance - \$5.3 million
- Public Broadcasting - Health and Safety Issues - \$4.9 million
- Technical School Projects - \$2 million
- Division of Blind Services Repairs and Maintenance - \$100,000

In addition: \$48 million in authorization for State University System (SUS) Capital Improvement Student Fee Projects.

Compensation and Benefits

Pay Issues - Total \$193.3 million

- All State Employees - a 3 percent increase, effective October 1, 2020
- Corrections Officers, Correctional Probation Officers, and Institutional Security Specialists - increases effective October 1, 2020, in addition to the 3 percent pay increase, based on longevity, of:
 - \$500, for employees with less than 2 years of service;
 - \$1,500, for employees with 2 or more but less than 5 years of service; and
 - \$2,500, for employees with 5 or more years of service.
- Department of Corrections Teachers - Pay increase of 15 percent, in addition to statewide 3 percent increase, effective October 1, 2020.

- Child Protective Investigators - Pay increase of 10 percent for investigators, 5 percent for supervisors, effective July 1 2020.
- State Group Health Insurance - Total \$88.1 million
- 6.5 percent increase to total premiums (State Employee portion unchanged). Florida Retirement System (State Agencies) - Total \$53.3 million

Education Appropriations

Total Appropriations: \$23.5 billion

Total Funding - Including Local Revenues: \$35.9 billion

Major Issues

Early Learning Services

Total: \$1.4 billion

- Voluntary Prekindergarten Program - \$412.2 million; including \$1.75 million increase for 659 additional students and \$8.1 million to raise the Base Student Allocation
- School Readiness Program - \$895.8 million

Public Schools/K12 FEFP

Total Funding: \$22.7 billion

- FEFP Total Funds increase is \$776 million or 3.55 percent
- FEFP increase in Total Funds per Student is \$184, a 2.40 percent increase [from \$7,656 to \$7,840]
- Base Student Allocation (BSA) increase of \$40
- FEFP Base Funds (flexible \$) increase of \$340 million (2.53 percent)
- Required Local Effort (RLE) increase of \$158.8 million for new construction only; RLE Millage reduced from 3.888 to 3.733 mills
- Teacher Salary Increase Allocation - \$500 million - additional funds that school districts must use to increase the minimum salaries of classroom teachers \$400 million to at least \$47,500, and to increase salaries for other instructional personnel (\$100 million)
- Sparsity Supplement - \$2.7 million increase to support small, rural districts
- Eliminates the Best and Brightest Teacher and Principal Allocation - \$284.5 million
- Safe Schools Allocation - \$180 million for School Safety Officers
- Mental Health Assistance Allocation - \$25 million increase for a total of \$100 million to help school districts and charter schools address youth mental health issues
- Turnaround School Supplemental Services Allocation - \$45.5 million -funds for services designed to improve the overall academic and community welfare of students and their families at designated lower performing schools
- Funding Compression and Hold Harmless Allocation - \$68 million - compression funds for districts with total funds per FTE that are less than the statewide average and hold harmless funds for districts that have a reduction in the District Cost Differential

Public Schools/K12 Non-FEFP

- Community School Grant Program - \$7.2 million GR
- Mentoring Programs - \$17.8 million GR
- Gardiner Scholarships -\$42 million additional funds for a total of \$189.9 million
- School District Foundation Matching Grants - \$5 million
- School Hardening Grants program for capital purchases for school security - \$42 million

- School and Instructional Enhancement Grants - \$32.1 million
- Exceptional Education Grants - \$9.6 million
- Florida School for the Deaf & Blind - \$54.5 million
- Computer Science Certification Grants - \$10 million
- Reading Scholarships - \$7.6 million
- Capital Projects - \$9 million

State Board of Education

Total: \$273.6 million

- Assessment and Evaluation - \$125.1 million
- Safe and Secure Campus Initiatives (Senate Bill 70) - \$8 million
- Just Read! Florida - \$1 million

Florida College System

Total: \$2.07 billion

- Increased Operating Funds - \$23 million New Tier-Based Funding Model
- CAPE Incentive Funds - \$14 million
- Student Success Incentive Funds - \$30 million
 - 2+2 Student Success Incentive Funds - \$20 million
 - Work Florida Incentive Funds - \$10 million
- No tuition increase

State University System

Total: \$5.2 billion

- Performance Based Funding - \$560 million
 - \$265 million State Investment
 - \$295 million Institutional Investment
 - Reprioritized from the base of each institution
- National Ranking Enhancement - \$30 million GR increase
- Universities of Distinction - \$24 million GR
- General Operating Increases - \$50 million GR
- FSU - Florida Institute of Politics - \$1 million GR
- FSU - Florida Institute for Child Welfare - \$5 million GR
- FIU Institute of Economic Freedom - \$1 million
- IFAS Workload - \$3.8 million GR increase
- No tuition increase

Private Colleges

Total: \$171.9 million GR

- EASE and ABLE funded at \$2,841 per award
- Historically Black Colleges and Universities - \$20.6 million GR increase

Student Financial Aid

Total: \$984.7 million

- Bright Futures - \$651.8 million
- Benacquisto Scholarship Program - \$26.6 million
- Children/Spouses of Deceased or Disabled Veterans Workload Increase - \$8.4 million

Health and Human Services Appropriations

Total Budget: \$39.4 billion

Major Issues***Agency for Health Care Administration***

Total: \$30.78 billion

- Medicaid Price Level and Workload - \$900.7 million
- Medicaid Contingency Reserve - \$68.9 million
- KidCare Workload - \$31.5 million
- MediKids Combined Risk Pool Implementation - \$31.0 million
- Canadian Prescription Drug Importation Program - \$10.3 million
- New Reimbursement Rate Level for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) - \$38.3 million
- Graduate Medical Education Program Increase - \$33.7 million
- Medical School Faculty Physician Supplemental Payments - \$4.6 million
- Neonatal Intensive Care Unit (NICU) Physician Rate Increase - \$2.6 million
- Florida Cancer Hospital Restoration - \$141.5 million
- Nursing Home Rate Enhancement - \$74.8 million
- Nursing Home Quality Improvement - \$5.0 million
- Florida Medicaid Management Information System (FMMIS) - \$47.1 million
- Electronic Visit Verification for Behavior Analysis Services - \$3.15 million

Agency for Persons with Disabilities

Total: \$1.59 billion

- Resources for Persons with Unique Abilities - \$67.1 million
- Serve Additional Clients on the Home and Community Based Services Waitlist - \$30.2 million
- Increase Adult Day Training Provider Rates - \$16.1 million
- Increase Personal Supports Provider Rates - \$36.8 million
- Increase Residential Habilitation Provider Rates - \$5.5 million
- Increase Respite Provider Rates - \$1.8 million
- Employment and Internship Supports - \$1.0 million GR
- iConnect System - \$1.5 million
- Fixed Capital Outlay for Developmental Disability Facilities - \$3.3 million

Department of Children and Families

Total: \$3.37 billion

- Establish Quality Office for Enhanced Accountability - \$5.4 million
- Child Welfare Services:
 - Maintenance Adoption Subsidies - \$20.0 million
 - Foster Parent Room & Board Rate Increase - \$0.8 million
 - Transition Funding to Implement Family First Prevention Services Act- \$18.0 million
 - Community-Based Care (CBC) Lead Agency Core Services Funding Increase - \$11.9 million
 - CBC Risk Pool - \$5.0 million
 - Child Welfare Performance Incentive Pilot Projects - \$8.2 million

- Safety Management Services - \$8.1 million
- State Opioid Response Grant - \$81.8 million
- Community Mental Health Services:
 - Increased School Access to Mental Health Services through Telehealth - \$4.0 million
 - Children’s Community Action Teams (CATs) - \$2.3 million
 - Forensic Community Transitional Beds (24 beds) - \$2.1 million
 - Juvenile Incompetent to Proceed Program - \$1.5 million
 - Employment Assistance/Individuals with Mental Health Disorders - \$0.7 million
- State Mental Health Facilities:
 - Rate Adjustment and Civil Commitment Capacity Increase (9 beds) - \$5.0 million
 - Anti-Ligature Improvements - \$1.7 million
 - Fixed Capital Outlay Repairs and Maintenance - \$2.0 million

Department of Elder Affairs

Total: \$371.6 million

- Community Care for the Elderly (CCE) Program (500 slots) - \$4.2 million
- Aging Resource Centers - \$1.5 million
- Alzheimer’s Disease Initiative (257 slots) - \$2.8 million
- Specialized Alzheimer’s Services Adult Day Care - \$0.75 million
- Home Care for the Elderly (HCE) Program (139 slots) - \$0.6 million
- Public Guardianship Program - \$8.7 million
- Program of All-Inclusive Care for the Elderly (PACE) - \$6.3 million
- Adult Care Food Program - \$1 million

Department of Health

Total: \$3.11 billion

- Office of Medical Marijuana Use - \$8.1 million
- Emerging Disease Threat Response (Hepatitis A) - \$9.1 million
- Transfer Correctional Medical Authority from EOG to DOH - \$0.7 million
- Increased Correctional Medical Authority staff - \$0.7 million
- Children Medical Services workforce reduction - \$7.3 million
- Children’s Medical Services Managed Care Plan Administrative Savings - \$12.7 million
- Child Protection Teams - \$1.5 million
- Housing Opportunities for Persons with Aids (HOPWA) - \$9.1 million
- Early Steps Program - \$8.0 million
- Healthy Floridians Healthy Future Racial and Ethnic Disparities Closing the Gap
- Poison Information Control Network - \$0.7 million
- Expansion of Genetic Services - \$1.2 million
- Center for Disease Control Federal Opioid Grant - \$6.5 million
- Capital Improvement Projects for Public Health Laboratories and County Health Departments - \$10.4 million
- Coronavirus disease - \$25.2 million GR and \$27.3 million Federal Funds (for 2019-2020 Fiscal Year)

Department of Veterans Affairs

Total: \$151.2 million

- Initial Staffing and Start-up State Veterans' Nursing Home in St. Lucie County (Ardie Copas) - \$5.5 million
- Initial Staffing and Start-up of State Veterans' Nursing Home in Orange County (Lake Baldwin) - \$3.4 million
- Technology Upgrades - \$0.4 million
- Florida is For Veterans Training Grants - \$1.4 million
- Fixed Capital Outlay for State Veterans Nursing Homes - \$8.1 million

Criminal and Civil Justice Appropriations

Total Budget: \$5.6 billion

Major Issues

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one fourth of the prison system \$17.3 million
- Continued funding of contracted inmate health services - \$421 million
- Funds the Hepatitis C class action lawsuit in the Department of Corrections, contingent upon the court's final ruling on all appeals related to the treatment of inmates identified as testing positive for level F0-F1 Hepatitis C; or to respond to a pandemic - \$28 million
- Mental Health Facilities, including provision for the financing of a new mental health facility at Lake Correctional Institution - \$19.7 million
- Fixed Capital Outlay for DJJ's residential program facilities - \$3.4 million
- Funds workload issues for the Justice Administrative Commission (Public Defenders, State Attorney, Capital Collateral Regional Counsel and the Offices of Criminal Conflict and Civil Regional Counsel) - \$12.9 million
- Funds Year 3 of the Department of Legal Affairs IT Modernization Initiative - \$6.6 million
- Funds FDLE's trust fund deficits within the Operating and Criminal Justice Standards and Training Trust Fund - \$5.9 million
- Additional Judgeships - \$3.4 (includes the certification of 4 new circuit judges and 6 new county judges)
- Community coordinators and training staff for Early Childhood Courts (ECCs) - \$2.2 million

Attorney General/ Legal Affairs

Total: \$296.7 million

- Agency-wide Information Technology Infrastructure Improvements - \$6.4 million
- Consumer Protection - Cyber Fraud Initiative - \$1.1 million
- Increase Human Resources Staff Based on Workload - \$249,963
- Crime Victims Compensation Payments - \$0.9 million
- Statewide Prosecution - \$0.4 million
- Increased Operating Costs - \$2.2 million

Department of Corrections

Total: \$2.8 billion

- Conversion From 12 to 8.5 Hour Work Shifts - \$17.3 million
- Private Leases - \$3.0 million
- Security Enhancement Equipment - \$3.0 million
- Replacement of Motor Vehicles - \$2.6 million

- Inspector General Inspectors - \$0.7 million
- Electronic Health Records - \$2.0 million
- Security Threat Group - \$2.2 million
- Wellness Specialists - \$1.9 million
- Career and Technical Education Expansion - \$3.0 million
- Hepatitis C Direct Acting Antivirals or Pandemic Response - \$28 million
- Critical Facility Renovations, Repairs and Maintenance - \$6.0 million
- Mental Health Facilities - \$19.7 million

Florida Department of Law Enforcement (FDLE)

Total: \$288.9 million

- Computerized Criminal History (CCH) Record System Maintenance - \$1.9 million
- Florida Incident Based Reporting System (FIBRS) - \$2.6 million
- Criminal Justice Data Transparency - \$3.6 million
- Criminal Justice Standards and Training Trust Fund Deficit - \$3.3 million
- Increase Federal Grants Trust Fund Authority for Project Safe Neighborhood Grants - \$1.5 million
- Genetic Genealogy Program - \$0.8 million
- Statewide Behavioral Threat Assessment - \$2.4 million
- Repair and Maintenance for the Tampa Bay Regional Operations Center - \$2.2 million

Department of Juvenile Justice

Total: \$587.1 million

- Prevention and Early Intervention Programs and Services - \$2.6 million
- Critical Repairs and Maintenance to DJJ Facilities - \$3.4 million
- Enhanced Oversight of Medical Services in Residential Programs - \$0.6 million
- Retention Bonus Plan for Contracted Direct-Care Staff - \$2 million
- Trust Fund Shortfalls - \$13.0 million

State Court System

Total: \$606 million

- New 2nd District Court of Appeal Courthouse - \$21 million
- Additional Judgeships - \$3.4 million (includes the certification of 4 new circuit judges and 6 new county judges)
- Timely Resolution of Cases - \$1.9 million
- Court Interpreting Resources - \$5.0 million
- Additional Staff for Early Childhood Courts (ECCs) - \$2.2 million
- Problem Solving Courts - \$0.6 million
- Family Court Operational Support - \$0.3 million
- Judicial Data Management System - \$0.4 million
- Appellate Judiciary Travel - \$125,000
- Courthouse Furnishings - \$0.3 million
- Appellate Court Security - \$0.5 million

Transportation, Tourism, and Economic Development Appropriations

Total Budget: \$13.7 billion

Major Issues

- Transportation Work Program - \$9.3 billion
- Affordable Housing Programs - \$370 million
- Job Growth Grant Fund - \$20 million
- Library Grants and Initiatives - \$27.2 million
- Cultural, Museum, and Historic Preservation Grants and Initiatives - \$51.6
- Motorist Modernization Project - \$9.2 million
- National Guard Tuition Assistance - \$4.2 million

Department of Economic Opportunity

Total: \$1.22 billion

- Economic Development Toolkit Payments (existing contracts) - \$25.7 million
- Florida Job Growth Grant Fund - \$20 million
- Revolving Loan Fund Program - \$40 million (for small businesses in the region impacted by Hurricane Michael)
- Space Florida - \$12.5 million
- Visit Florida - \$50 million recurring
- Enterprise Florida - \$16 million
- Affordable Housing Programs - \$370 million
 - State Housing Initiatives Partnership (SHIP) - \$225.0 million (allocated to local governments)
 - State Apartment Incentive Loan (SAIL) Programs - \$115 million
 - Hurricane Housing Recovery Program - \$30 million
- Rural Communities:
 - Rural Infrastructure Fund - \$8.6 million
 - Rural Community Development Revolving Loan Fund - \$6.2 million
- Economic Development Projects - \$10.0 million
- Housing and Community Development Projects - \$20.2 million
- Workforce Projects - \$7.3 million

Department of Highway Safety and Motor Vehicles

Total: \$500.0 million

- Florida Highway Patrol Troopers - First Coast Expressway - \$1.3 million
- Motorist Modernization Project - Phase II - \$9.9 million
- Application Cloud Environment - \$2.5 million
- Renovations to the Neil Kirkman Building - \$1.1 million
- Florida Highway Patrol Troop D Headquarters, Orlando - \$5.9 million

Department of Military Affairs

Total: \$71.8 million

- Tuition Assistance for Florida National Guard - \$4.2 million
- Facility Maintenance and Repair - \$3.4 million (matched by \$3.4 million federal funds)
- Panama City Readiness Center Replacement - \$6.3 million (matched by \$18.75 million federal funds)

Department of State

Total: \$132.0 million

- Maintenance of Effort for Libraries - \$24.2 million
- Libraries Construction Grant Ranked List - \$1.0 million
- Grants to Library Cooperatives - \$2.0 million
- Cultural and Museum Program Support and Facilities Grants and Initiatives - \$26.5 million
 - Cultural & Museum Program Support Grants - \$20.3 million
- Cultural and Museum Ranked List - \$13.6 million (funds distributed proportionally to all 489 projects)
- Culture Builds Florida Ranked List - \$2.9 million (funds all 125 projects)
- Cultural Facilities Ranked List - \$3.8 million (funds 17 of the 29 projects)
 - Cultural and Museum Projects - \$6.2 million
- Historical Resources Preservation - \$25.1 million
 - Historic Preservation Grants - \$7.1 million
- Historic Preservation Small Matching Grants Ranked List - \$1.5 million
- Historic Preservation Special Category Grants Ranked List - \$5.6 million (funds 15 of 38 projects)
 - Historic Preservation Projects - \$5.3 million
 - Artifact Curation Facility - \$2.5 million
 - Federal Hurricane Relief Funding for Historic Preservation - Hurricane Michael - \$10.2 million
- Cyber Security Bureau - \$1.3 million GR; 10 positions
- Elections - \$17.1 million
 - Recurring funding for the Division of Elections - \$1.8 million
 - Cyber Security and Election Activity Grants to Supervisors of Elections - \$1.0 million
 - Electronic Registration Information System Center (ERIC) - \$1.4 million
 - Reimbursements to Counties for Special Elections - \$1.5 million
 - Advertising Proposed Constitutional Amendments - \$1.3 million
 - Help America Vote Act 2020 Grant - \$10.1 million

Department of Transportation

Total: \$10.3 billion

- Transportation Work Program - \$9.3 billion
 - County Transportation Programs:
- Small County Road Resurface Assistance Program (SCRAP) - \$47.6 million
- Small County Outreach Program (SCOP) - \$96.0 million
- Other County Transportation Programs - \$56.8 million
- Transportation Disadvantaged Program - \$70.4 million

Division of Emergency Management

Total: \$1.5 billion

- Federally Declared Disaster Funding - \$1.4 billion
 - Communities - \$1.27 billion
 - State Operations - \$115.7 million
- Statewide Regional Evacuation Study - \$1.2 million
- Statewide Comprehensive Flood Plain Model - \$2.0 million

- Community Flood Resiliency - \$491,576
- State Emergency Operations Center Design - \$3.5 million
- Disaster Recovery and Preparedness Projects - \$5.3 million

Agriculture, Environment, and General Government Appropriations

Total Budget: \$6.6 billion

Major Issues

Department of Agriculture & Consumer Services

Total: \$1.8 billion

- Wildfire Suppression Equipment/Aircraft Acquisition - \$7.3 million
- Florida Forest Service Road/Bridge and Facility Maintenance - \$8.7 million
- Citrus Protection and Research - \$21.3 million
- Water Supply Planning - \$1.5 million
- Everglades Restoration / Lake Okeechobee Agriculture Projects - \$4 million
- Office of Water Policy - \$1.0 million
- Rural and Family Lands Conservation Easements - \$8.7 million
- State Industrial Hemp Program - \$4.4 million
- Office of Energy Grants - \$0.9 million
- USDA Hurricane Disaster Recovery - \$6.6 million
- Agriculture Education and Promotion Facilities - \$3.6 million

Department of Environmental Protection

Total: \$2.3 billion

- DEP Everglades Restoration- \$318.6 million
 - Water Quality Improvements - \$236.6 million
 - Septic-to-Sewer/Wastewater Treatment - \$25 million
 - Total Maximum Daily Loads - \$25 million
 - Water Quality Improvements Everglades - \$50 million
 - Indian River Lagoon Water Quality Improvements - \$25 million
 - St. Johns, Suwannee, Apalachicola Rivers Watersheds and Springs Coast Watershed Water Quality Improvements - \$25 million
 - Water Projects - \$76.6 million
 - Coral Reef Protection and Restoration - \$10.0 million
- Water Quality Improvements - Blue Green Algae Task Force - \$10.8 million
- Florida Resilient Coastline Initiative - \$10.0 million
- Innovative Technology Grants for Harmful Algal Blooms - \$10.0 million
- Springs Restoration - \$50 million
- Alternative Water Supply - \$40 million
- Florida Forever - \$100 million
 - Division of State Lands - \$67 million
 - Florida Communities Trust - \$10.0 million
 - Florida Recreational Development Assistance Grants - \$12.3 million
 - Working Waterfronts - \$2.0 million
 - DACS Rural and Family Lands - \$8.7 million
- Petroleum Tanks Cleanup Program - \$125 million
- Volkswagen Settlement - \$67.5 million

- Florida Keys Area of Critical State Concern - \$10 million
- Cleanup of State Owned Lands - \$10 million
- Hazardous Waste/Site Cleanup - \$6.5 million
- Beach Management Funding Assistance - \$50.0 million
- Drinking Water Revolving Loan Program - \$130.7 million
- Wastewater Revolving Loan Program - \$228.6 million
- Additional Hurricane Recovery Related Drinking & Wastewater Revolving Loan Programs - \$177.8 million
- Small County Solid Waste Management Grants - \$3 million
- Small County Wastewater Treatment Grants - \$13 million
- Local Parks - \$4.9 million
- State Parks Maintenance and Repairs - \$37.0 million

Fish & Wildlife Conservation Commission

Total: \$418.5 million

Marine Fisheries Infrastructure Recovery Grant Program - \$10.8 million

- Law Enforcement Vehicle Replacement - \$3.0 million
- Hurricane Irma Marine Fisheries Disaster Recovery - \$9.4 million
- Hurricane Michael Marine Fisheries Disaster Recovery - \$7.8 million
- Invasive Species Response - \$2.3 million
- Red Tide Research - \$2.8 million
- Center for Red Tide Research - 2 FTE, \$2.0 million
- FWRI Building Repairs - \$1.8 million
- Boating Infrastructure and Improvement Program - \$5.9 million
- Derelict Vessel Removal - \$3.5 million
- State Reef Fish Survey - \$3.0 million

Department of Management Services

Total Budget: \$716 million

- Florida Facilities Pool (FFP) Fixed Capital Outlay - \$72.8 million
- FFP Service and Security Guard Contracts - \$0.4 million
- Private Prison Monitoring Facility Maintenance and Repairs (Gadsden and Lake City Correction Facilities) - \$3.4 million
- Florida Holocaust Memorial - \$0.4 million
- Florida Slavery Memorial - \$0.4 million
- Florida Interoperability Network and Mutual Aid - \$1.7 million
- Statewide Law Enforcement Radio System (SLERS) Contract, Staff Augmentation and Independent Verification and Validation Services - \$0.8 million
- Non-FRS Pension Benefits - \$0.1 million
- E911 Next Generation Grant - \$3.2 million
- Emergency 911 Call Routing System - \$6.0 million
- Florida Retirement Contact Center - \$1.0 million

** Bill Summaries provided by House and Senate Staff*

2020 Session Bill Statistics

SENATE BILLS	FILED	PASSED SENATE	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	4	2	2
RESOLUTIONS(ONE CHAMBER)	40	26	0
GENERAL BILLS	923	124	80
LOCAL BILLS	5	0	0
JOINT RESOLUTIONS	16	0	0
MEMORIALS	11	2	0
TOTALS	999	154	82*

FLORIDA LEGISLATURE-REGULAR SESSION-2020 STATISTICS REPORT

HOUSE BILLS	FILED	PASSED HOUSE	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	3	0	0
RESOLUTIONS(ONE CHAMBER)	44	42	0
GENERAL BILLS	776	193	111
LOCAL BILLS	35	15	15
JOINT RESOLUTIONS	11	7	2
MEMORIALS	15	1	0
APPROPRIATIONS PROJECTS	1634	0	0
TOTALS	2518	258	128*

SENATE AND HOUSE BILLS	FILED	PASSED FIRST CHAMBER	PASSED BOTH CHAMBERS
CONCURRENT RESOLUTIONS	7	2	2
RESOLUTIONS(ONE CHAMBER)	84	68	0
GENERAL BILLS	1699	317	191
LOCAL BILLS	40	15	15
JOINT RESOLUTIONS	27	7	2
MEMORIALS	26	3	0
APPROPRIATIONS PROJECTS	1634	0	0
TOTALS	3517	412	210*

Government Affairs Team

First opened in 1987, the Buchanan Ingersoll and Rooney (BIR) Florida Government Relations has continuously provided state Legislative and Executive Branch lobbying services for over twenty-nine years. The BIR Florida GR practice boasts 9 full time specialists with extensive experience navigating Florida state government. This power of experience is embodied in the people who comprise the BIR Government Relations team making our firm one of the most knowledgeable teams in Florida. Please see below for GR team brief biographies.



J. Keith Arnold is a fifth generation Floridian from Ft. Myers who served in the Florida House of Representatives for 16 years until 1998, and assumed many leadership positions during his legislative career. At the age of 28, Keith was appointed Majority Leader of the Florida House, becoming the youngest person serving in that role in state history. During his House tenure, Keith served in a variety of chairmanships, including Chair of the Tourism and Cultural Affairs Committee, Chair of the Postsecondary Education Committee and Chair of the Appropriations Sub-committee on Education. In the latter role, Keith was responsible for budgeting the state's entire \$14 billion education budget including K-12, Community College and State University System.

Keith has represented various clients before the state legislature and executive branch for over 24 years.



Brett Bacot is a registered lobbyist with more than 24 years experience representing clients before state government, and during that time has worked in various issue areas, specializing in healthcare, transportation, special appropriations, and local government issues.



Marnie George is a government affairs professional with more than 25 years of experience in Florida, including lobbying the Florida legislature, state agencies, the Florida cabinet and executive branch on behalf of state and national organizations. She has experience working with the legislative process and holds a reputation for honesty and integrity with the many bipartisan relationships with staff and elected officials on numerous issues that she has developed.



Michael Harrell concentrates his practice on government affairs, where he has experience lobbying the Florida legislative and executive branches on a wide range of business and regulatory issues, including governmental procurement practices. Michael's in depth experience includes candidate recruitment, grassroots political efforts and fundraising. He began his political career in Washington, D.C., where he served in the Office of Vice President Dan Quayle. He was responsible for media, transportation and logistics for all trips, foreign and domestic.



Jim Magill represents individuals and entities having interests before the Florida legislature, state agencies, governor and cabinet. Previously, Jim served as Director of Legislative Affairs to Governor Jeb Bush from 2002-2004, the Director of State Senate Campaigns to the Republican Party of Florida from 1993-1996 and a Legislative Analyst to the Florida House of Representatives, Republican office from 1991-1993.



Kim McGlynn represents individuals and entities having interests before the Florida legislature, state agencies, and the Governor and Cabinet. Among other accomplishments, Kim has served in the Senate Majority Office and Legislative Coordinator for the Florida Department of Lottery.

Additional Tallahassee Counsel



Mallory Harrell concentrates her practice in the areas of administrative law, such as state contracts, public procurements, bid protests and rule challenges. She has more than 15 years of experience in the area of contracts and state procurement. Before joining Buchanan, Mallory gained experience serving as general counsel for a technology firm. She also served as Deputy Secretary at Florida Department of Management Services from 2001-2002, where she oversaw state procurement and General Counsel's Office for the Department.



Rocky Rodriguez served as general counsel to former Florida Governor Jeb Bush during 2002-2007, during which she counseled Governor Bush on more than 200 judicial appointments across all levels of the Florida judiciary. During her tenure Rocky worked on some of the most critical issues facing the state, including conceiving and co-drafting the legislation for and negotiating the then-largest economic development project in state history - a \$310 million economic incentive grant to The Scripps Research Institute.

Rocky brings over three decades of state and federal litigation experience in banking, commercial, international, real estate, constitutional, administrative and election law. She provides counseling on corporate governance and related employment matters including trade secrets, crisis and risk management, data breaches, dispute resolution and strategy, economic development and incentives, government relations, and government investigations.



Mike Underwood was a key official at the predecessor of the Florida Department of Financial Services and authored many provisions of Florida's securities and banking laws.

Since leaving government, he has become recognized as a national leader in financial services regulation, especially in Florida. He represents securities broker-dealers, investment advisers, insurance companies, financial institutions and affiliated individuals in civil litigation, regulatory investigations and enforcement actions. His experience includes defense of class actions, multi-district litigation and regular appearances before self-regulatory organizations as well as state and federal financial regulators. Mike's primary focus is assisting firm clients with state and federal securities, banking and insurance regulatory matters.