

# Fish and Wildlife Conservation Commission

## 2014 Session Report – June 2014 Commission Meeting

Legislative Affairs Office  
May 19, 2014

The 2014 Legislative Session ended, May 2. The Commission's legislation passed and FWC received a strong budget. The agency is most appreciative to Governor Scott and the Legislature for their support.

The agency is especially grateful to FWC's bill sponsors, Senator Charlie Dean and Representative Tom Goodson and their staff, House and Senate leadership including the committees of reference that passed the legislation, and all of the stakeholders for their efforts in securing its passage. The bill, CS/CS/HB 955 goes next to the Governor for his action, as does the State budget. He will have 15 days on which to act, once he receives the bills; as of this date, he has not received the bill.

It takes a team – and FWC is truly thankful for all of its partners!

*Note: In the following list are some of the bills that FWC monitored this Session. Bills having passed the Legislature with the Governor's approval – the bill number, all sponsors, and the subject of the bill will be highlighted in **bold green**. Bills having passed the Legislature and are awaiting action by the Governor - the bill number, all sponsors, and the subject of the bill will be highlighted in **bold black**. If legislation did not pass the Legislature, or has been vetoed by the Governor, the line will no longer be highlighted in bold. As mentioned above, the Governor has 15 days on which to act on a bill passed by the Legislature once he receives it. This report will be updated when action on all bills has been taken by the Governor.*

## Fish and Wildlife Conservation Commission Legislation

### CS/CS/HB 955 by Rep. Goodson; CS/SB 1126 by Sen. Dean – Fish and Wildlife Conservation Commission

These bills: would allow counties to use their portion of vessel registration revenues for additional boating-related activities, including removal of debris that specifically impedes boating access (not including dredging channels), along with the provision of, allowing the "maintenance, and/or operation" of recreational channel marking and other uniform waterway markers, public boat ramps, lifts, and hoists, and marine railways, and adds "boat piers, docks and mooring buoys, and other public launching facilities" to the list above of allowable uses; would allow boating law violators to take an online boating safety education course, instead of attending a course in person, to satisfy mandatory boating safety education requirements; would eliminate language that exempts people who have previously taken the violators educational course from having to retake it upon conviction of the statutorily specified violations; would replace an antiquated and

incorrect reference from the Department of Children and Families with a reference to the Agency for Persons with Disabilities as the agency whose clients receiving developmental disabilities services are exempted from having to possess a recreational fishing license; would extend the Anchoring and Mooring Pilot program until 2017 to allow continued evaluation, and would require that the Commission report its findings and recommendations on the Anchoring and Mooring Pilot program to the Legislature and Governor in January 2017. The bills would also repeal the following fees (and where indicated, the licenses or permits, as well), most of which have not been issued in years: the Special Recreational Spiny Lobster license and fee, established in 1994 at \$100/year; the fees (\$5 for persons 18 years of age or older and \$2 for persons under 18 years of age) the Commission may assess for hunting on U.S. Forest Service lands, when the lands are part of a cooperative agreement between the two agencies; the license and \$50 fee for noncommercial shrimp trawling on the St. Johns River, when using the shrimp for personal food; the fees for the statewide freshwater trawl seine (\$50) and haul seine (\$100) licenses; and the fees for the Lake Okeechobee freshwater resident trawl seine (\$50) and haul seine (\$100) permits and the Lake Okeechobee freshwater nonresident haul or trawl seine license (\$500). HB 955 was read the 1<sup>st</sup> time and referred to the subcommittees on Agriculture & Natural Resources, and Agriculture & Natural Resources Appropriations, and to the Committee on State Affairs; it passed Agriculture & Natural Resources as CS, passed Agriculture & Natural Resources Appropriations, and passed State Affairs as CS/CS; it had both its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and passed the full House, April 23, was sent to the Senate in Messages, and was referred to the Senate committees on Environmental Preservation & Conservation, and Appropriations; it was withdrawn from the committees of reference, when it was substituted for CS/SB 1126 and had its 2<sup>nd</sup> Reading, May 1; it had its 3<sup>rd</sup> Reading and passed the full Senate, May 2; it goes next to the Governor. SB 1126 was read the 1<sup>st</sup> time and referred to the Committee on Environmental Preservation & Conservation and the Committee on Appropriations; it is now in Environmental Preservation & Conservation; it passed Environmental Preservation & Conservation as CS, and passed Appropriations; it had its 2<sup>nd</sup> Reading before the full Senate, May 1, when the Senate substituted CS/CS/HB 955, and laid the bill on the table; please refer to CS/CS/HB 955.

## **Other Bills of Interest to FWC**

### **CS/CS/CS/HB 41 by Rep. Campbell; SB 1234 by Sen. Bullard – Law Enforcement Officers' Hall of Fame**

These bills create the Law Enforcement Officers' Hall of Fame, in the plaza level of the Capitol building, recognizing law enforcement officers who, through their works, service, and exemplary accomplishments during or following their service as law enforcement officers, have dedicated their lives to, and sacrificed their lives for, the safety of the citizens of Florida and have made significant contributions to the State. Nominations will be made by law enforcement agencies and provided to the Florida Department of Law Enforcement (FDLE), who will make recommendations to the Governor and Cabinet. The Governor and Cabinet will select those who will be inducted. CS/CS/CS/HB 41 also provides for a recurring appropriation to operate the Hall of Fame and directs FDLE to adopt rules to implement the bill. HB 41 was read the 1<sup>st</sup> time and referred to the

subcommittees on Criminal Justice, and Justice Appropriations, and to the Judiciary Committee; it passed Criminal Justice as CS, passed Justice Appropriations as CS/CS, and passed Judiciary as CS/CS/CS; it had its 2<sup>nd</sup> Reading before the full House, and had its 3<sup>rd</sup> Reading and passed the full House, April 28; it was received by the Senate in Messages and referred to the committees on Criminal Justice, Governmental Oversight & Accountability, and Appropriations; it was withdrawn from the committees of reference, May 2, when it was substituted for SB 1234 and had its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and passed the full Senate; it goes next to the Governor. SB 1234 was read the 1<sup>st</sup> time and referred to the committees on Criminal Justice, Governmental Oversight & Accountability, and Appropriations; it passed Criminal Justice, and passed Governmental Oversight & Accountability; it was withdrawn from the Appropriations Committee, April 29; it had its 2<sup>nd</sup> Reading before the full Senate, May 2, when the Senate substituted CS/CS/CS/HB 41, and laid the bill on the table; please refer to CS/CS/CS/HB 41.

**CS/HB 47 by Rep. Raschein; CS/SB 194 by Sen. Latvala – Spiny Lobster**

These identical bills: would classify the possession of spiny lobster out of season and possession of wrung tails on the water as major violations; would provide that those in possession of 25 or more spiny lobster taken out of season or 25 or more wrung tails would be charged with a 1<sup>st</sup> degree misdemeanor (up to 1 year in jail and/or \$1000 fine, at the judge's discretion); would retain the 2<sup>nd</sup> degree misdemeanor charge (up to 60 days in jail and/or \$500 fine, at the judge's discretion) for those possessing less than 25 out of season or less than 25 wrung tails; and would increase the penalties for repeat offenders who are charged with these same violations a second, third, or fourth time. HB 47 was read the 1<sup>st</sup> time and referred to the subcommittees on Agriculture & Natural Resources, Criminal Justice, and Agriculture & Natural Resources Appropriations, and to the State Affairs Committee; it passed Agriculture & Natural Resources as CS, passed Criminal Justice, passed Agriculture & Natural Resources Appropriations, and passed State Affairs; it had both its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and passed the full House; it was received by the Senate in Messages, and was referred to the committees on Agriculture, Environmental Preservation & Conservation, and Criminal Justice; it was withdrawn from the Senate committees, substituted for CS/SB 194, and had its 2<sup>nd</sup> Reading before the full Senate; it had its 3<sup>rd</sup> Reading and final passage by the Senate, April 28; it goes next to the Governor. SB 194 was read the 1<sup>st</sup> time and referred to the committees on Agriculture, Environmental Preservation & Conservation, and Criminal Justice; it passed Agriculture as CS, passed Environmental Preservation & Conservation, and passed Criminal Justice; it was scheduled for its 2<sup>nd</sup> Reading before the full Senate, was substituted by CS/HB 47, and was laid on the table; please refer to CS/HB 47.

**SB 222 by Sen. Ring; SB 928 by Governmental Oversight & Accountability; HB 7073 by Appropriations – State Technology**

SB 928 creates the Agency for State Technology (AST), an independent unit of the Dept. of Management Services, which would be responsible for developing and implementing consistent information technology standards, policies, services, and architecture among state agencies in an effort to provide cost efficient and cost effective technology; would be advised by a Technology Advisory Council; AST would oversee technology purchases of \$10 million or more, or \$25 million or more for Cabinet

agencies, would assume oversight of all information technology resources in state agencies, would provide project management and oversight over all technology purchases, and review all technology purchases over \$250,000; beginning in 2016, would provide recommendations on IT functions that serve other business functions within all agencies such as accounting, purchasing, cash management, personnel; would be required to develop best practices for technology purchases; would oversee the newly created State Data Center, made up of the current Northwood and Southwood shared resource centers, which would provide the actual information technology services, including servers, network services, back-up, disaster recovery, etc. to state agencies; would repeal the authorizations for the unfunded Agency for Enterprise Information Technology, the Northwood Shared Resource Center, and the Southwood Shared Resource Center. HB 7073 creates the Agency for State Technology (AST), an independent unit of the Dept. of Management Services, with similar provisions and functionally equivalent to the provisions in SB 928. SB 222 was read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, and Banking & Insurance, to the Appropriations Subcommittee on General Government, and to the Appropriations Committee; it died in committee. SB 928 was read the 1<sup>st</sup> time and referred to the Appropriations Subcommittee on General Government, and the Committee on Appropriations; it was recommended in General Government Appropriations that the Appropriations Committee pass the bill as CS; it passed Appropriations as CS; it was scheduled for its 2<sup>nd</sup> Reading before the full Senate, but was not considered and was retained on the Calendar for its 2<sup>nd</sup> Reading; it had its 2<sup>nd</sup> Reading before the full Senate, May 1, when the Senate substituted HB 7073, and laid the bill on the table; please refer to HB 7073. HB 7073 was read the 1<sup>st</sup> time and referred to the Calendar; it was amended and passed its 2<sup>nd</sup> and 3<sup>rd</sup> Readings by the full House; it was received by the Senate, and referred to the Committee on Governmental Oversight & Accountability, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it was withdrawn from the committees of reference, May 1, when it was substituted for SB 928, and had its 2<sup>nd</sup> Reading before the full Senate; it had its 3<sup>rd</sup> Reading and passed the full Senate, May 2; it goes next to the Governor.

#### HB 305 by Rep. Waldman; SB 492 by Sen. Margolis – Regulation of Firearms and Ammunition

These identical bills would repeal all of the provisions of HB 45, which passed during the 2011 Session. HB 45: clarified that the regulation of firearms is under the jurisdiction of the Legislature, not local governments or state agencies, unless authorized; provided that a knowing and willful violation of the statutory preemption would result in a civil fine of up to \$5000, to be assessed against the elected governing officials or agency head, personally; provided that a court must declare the improper ordinance, regulation, or rule invalid and issue a permanent injunction prohibiting the ordinance, regulation, or rule's enforcement; provided that a knowing or willful violation of the law is cause for termination or removal from office, and a person or organization whose membership is adversely affected by any attempt to regulate firearms in violation of this law is entitled to specified relief, to be granted by the courts; authorized exceptions for FWC when regulating firearms as a method of taking wildlife or for regulating shooting ranges, law enforcement agencies or any entity regulating the use of firearms for its employees, the courts when determining the outcome of cases, and zoning ordinances regulating

firearms businesses. HB 305 was read the 1<sup>st</sup> time and referred to the Criminal Justice Subcommittee, the Local and Federal Affairs Committee, the Rulemaking, Oversight, & Repeal Subcommittee, and the Judiciary Committee; it died in committee. SB 492 was read the 1<sup>st</sup> time and referred to the committees on Criminal Justice, Community Affairs, and Rules; it died in committee.

**SB 320 by Sen. Sachs; CS/HB 347 by Rep. Clarke-Reed – Commercial Parasailing**

These identical bills: create the “White-Miskell Act,” requiring liability insurance for commercial parasailing operations; create safety standards for commercial parasailing operations including requiring a Coast Guard license; require that a vessel engaged in commercial parasailing must be equipped with a functional VHF marine transceiver and a separate electronic device capable of providing access to National Weather Service Forecasts and weather conditions; prohibit commercial parasailing during specified weather conditions; require the operator of a commercial parasailing vessel to use all available means to determine prevailing and forecasted weather conditions, to record this information any time passengers are taken out on the water, and require that this weather log be made available for inspection at all times at the operator’s place of business. Violations result in a 2<sup>nd</sup> degree misdemeanor. The bills also: prohibit moored ballooning within 100 ft. of a marked intercoastal waterway; parasailing and moored ballooning within 2 miles of the boundary of an airport, unless otherwise permitted by Federal law; and prohibit a person from engaging in kite surfing or kite boarding in an area which extends 1 mile in a direct line along the centerline of an airport runway, and which has a width of one-half mile, unless otherwise permitted by Federal law; violations of these provisions are a non-criminal infraction. SB 320 was read the 1<sup>st</sup> time and referred to the committees on Regulated Industries, Commerce & Tourism, and Community Affairs; it passed Regulated Industries, passed Commerce & Tourism, and passed Community Affairs; it had its 2<sup>nd</sup> Reading before the full Senate, and had its 3<sup>rd</sup> Reading and passed the full Senate; May 1, it was read the 2<sup>nd</sup> time in the House, when it was amended to be identical to CS/HB 347, had its 3<sup>rd</sup> Reading and passed the full House, was returned to the Senate, the Senate concurred with the House amendment and passed the bill as amended; it goes next to the Governor. HB 347 was read the 1<sup>st</sup> time and referred to the subcommittees on Business & Professional Regulation, and Agriculture & Natural Resources Appropriations, and to the Regulatory Affairs Committee; it passed Business & Professional Regulation, passed Agriculture & Natural Resources Appropriations, and passed Regulatory Affairs as CS, and was placed on the Calendar, available for consideration by the full House; it died on the Calendar, please refer to SB 320.

**HB 449 by Rep. Clelland; CS/SB 540 by Sen. Simmons – Sharks**

HB 449 would prohibit the possession of shark fins – separate from the shark carcass – on State waters; prohibit the possession, sale, offer for sale, trade, purchase, offer for purchase, shipping for the purpose of sale, barter, exchange, or otherwise distributing of such fins in Florida; it would not prohibit the sale, possession, trade, or distribution of intact shark carcasses, or shark meat. The bill provides for four limited exceptions to the prohibitions on shark fins: (1) A restaurant that possesses, sells, or offers for sale a shark fin for the purpose of consumption on the premises if the restaurant possessed the shark fin before July 1, 2014; (2) A person who detaches a shark fin or tail from a lawfully landed shark during the ordinary course of preparing the shark’s body or body

parts other than the fin or tail for consumption, sale, trade, or distribution if the shark fin is disposed of immediately and not sold, exchanged, or distributed; (3) A person or entity that has a valid scientific permit for the possession of a shark fin for bona fide research or educational purposes; or (4) The possession or transportation in the State of a shark fin for a purpose other than sale, taken or caught outside the state and transported from a point outside the state by common carrier, without being unloaded in Florida, to a point of delivery outside the state. Violations would be a second degree misdemeanor. CS/SB 540 would make it a major violation, with increased penalties for repeat offenders, for a commercial harvester to be in possession of a shark fin, separated from the shark, on the water. HB 449 was read the 1<sup>st</sup> time and referred to the subcommittees on Agriculture & Natural Resources, and Agriculture & Natural Resources Appropriations, and to the State Affairs Committee; it died in committee. SB 540 was read the 1<sup>st</sup> time and referred to the committees on Environmental Preservation & Conservation, and Criminal Justice, to the Appropriations Subcommittee on General Government, and to the Appropriations Committee; it passed Environmental Preservation & Conservation as CS, had its references to the Appropriations Subcommittee on General Government, and the Appropriations Committee removed, and a reference to the Rules Committee added; it passed Criminal Justice, passed Rules; it was placed on the Calendar, available for its 2<sup>nd</sup> Reading, and died on the Calendar.

#### HM 607 by Rep. Harrell – Comprehensive Everglades Restoration Plan

This memorial urges Congress to enact before adjournment a Water Resources Development Act authorizing the next phase of Everglades restoration that includes the Biscayne Bay Coastal Wetlands, the C-111 Spreader Canal, the Broward County Water Preserve Area, the Caloosahatchee River C-43 West Basin Storage Reservoir, and the Central Everglades Planning Project. HM 607 was read the 1<sup>st</sup> time and referred to the committees on Local & Federal Affairs, and State Affairs; it passed Local & Federal Affairs, and passed State Affairs; it had its 2<sup>nd</sup> Reading before the full House, was adopted, and was sent to the Senate in Messages; it died in Messages.

#### CS/CS/CS/SB 612 by Sen. Hays; CS/HB 801 by Rep. Fitzenhagen – Preference in the Award of State Contracts

These bills: provide that for competitive solicitations for construction services, where a specified percent of the cost is to be paid from state appropriated funds (51 percent or more in CS/CS/CS/SB 612, and 20 percent or more in CS/HB 801), the State authority to grant preference supersedes local ordinances and regulations that restrict specified contractors from competing for an award based upon certain conditions; and require universities, colleges, counties, municipalities, school districts, or other political subdivisions to disclose in these competitive solicitation documents whether payment will come from funds appropriated by the State, and if known, the amount or percentage of such funds as compared to the anticipated total cost. CS/CS/SB 612 also: provides the requirements for competitive solicitations for construction services to apply to competitive solicitations to personal property, as well; requires State agencies to report contract problems, fines, defaults, and terminations to the Department of Management Services (DMS), and for DMS to maintain a vendor complaint list, a suspended vendor list, and a terminated vendor list, and requires that agencies must consider the fact of a vendor's status on any of the lists in evaluating competitive solicitations. SB 612 was

read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, Community Affairs, Judiciary, and Appropriations; it passed Governmental Oversight & Accountability as CS, passed Community Affairs as CS/CS, and passed Judiciary as CS/CS/CS; it was sent to Appropriations, and died in committee. HB 801 was read the 1<sup>st</sup> time and referred to the subcommittee on Government Operations, and to the committees on Local & Federal Affairs, Appropriations, and State Affairs; it passed Government Operations as CS; it was sent to Local & Federal Affairs, and died in committee.

SB 660 by Sen. Simpson; HB 971 by Rep. Beshears – Specialty License Plates

These identical bills create the Bonefish and Tarpon Trust license plate, and provide that after all startup costs for developing and issuing the plates have been recovered, the proceeds, which will be distributed to the Bonefish and Tarpon Trust, may be used as follows: a maximum of 10% to market and promote the Bonefish and Tarpon Trust license plate, and the remainder to to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy. SB 660 was read the 1<sup>st</sup> time and referred to the committees on Transportation, and Rules, to the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and the Appropriations Committee; it died in committee. HB 971 was read the 1<sup>st</sup> time and referred to the subcommittees on Transportation & Highway Safety, and Transportation & Economic Development Appropriations, and to the Economic Affairs Committee; it died in committee.

HB 679 by Rep. Taylor; SB 1572 by Sen. Sachs – Persons with Disabilities

Among other provisions, these bills provide that every law enforcement agency in the state must report crimes affecting persons with disabilities, persons who are legally blind, and persons who are mobility impaired to the Department of Law Enforcement monthly, and must report its enforcement of section 316.1301, Florida Statutes (Traffic Regulations to Assist Blind Persons), and traffic laws to assist legally blind and mobility-impaired persons monthly to the Department of Highway Safety and Motor Vehicles. The report to the Department of Highway Safety and Motor Vehicles must include incidents of crashes involving legally blind persons and crashes involving mobility-impaired persons. In addition, the bills require that the curricula of every basic skills course required in order for law enforcement officers to obtain initial certification must include the study of section 316.1301 and traffic laws to assist legally blind and mobility-impaired persons. HB 679 was read the 1<sup>st</sup> time and referred to the subcommittees on Criminal Justice, and Transportation & Highway Safety, and to the committees on Appropriations, and Judiciary; it died in committee. SB 1572 was read the 1<sup>st</sup> time and referred to the committees on Criminal Justice, and Transportation, to the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and to the Appropriations Committee; it died in committee.

SB 718 by Sen. Legg; HB 985 by Rep. Santiago – Public Meetings

These identical bills require that notices for all meetings of a any board or commission of any state agency or county governmental entity (except as otherwise provided in the Constitution) must include a specific description of each matter to be considered by the board or commission at the meeting, and they provide that a board or commission may not act upon any matter at a public meeting which was not included in the notice unless

the matter concerns an impending public health, safety, welfare, or other emergency that requires immediate action and the consideration of the matter is approved by a super majority of the members of the board or commission. SB 718 was read the 1<sup>st</sup> time and referred to the committees on Community Affairs, Governmental Oversight & Accountability, and Rules; it passed Community Affairs, and was sent to Governmental Oversight & Accountability; it died in committee. HB 985 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, and the committees on Local & Federal Affairs, and State Affairs; it died in committee.

#### HB 733 by Rep. Eagle – Federal Regulation of Firearms

This bill creates the “Second Amendment Preservation Act,” which would prohibit any employee of the state, or any of its political subdivisions, or person providing services to the state or on behalf of the state, from (1) enforcing any acts, laws, rules, orders, or regulations of the federal government relating to a personal firearm or firearm accessory, (2) assisting any federal employee in the enforcement of such a provision, and (3) using any state assets, state funds, or funds allocated by the state to local entities to engage in activities that aid in the enforcement of these laws. The bill further provides that any agent or employee of the state who knowingly violates these provisions will be deemed to have resigned his or her commission from the state, and his or her position or office will be deemed vacant. HB 733 was read the 1<sup>st</sup> time and referred to committees, but was withdrawn from consideration.

#### CS/CS/SB 782 by Sen. Brandes; CS/HB 1231 by Rep. Beshears – Government Data Practices

Among other provisions, these bills: require the Department of State to adopt rules which are binding on state agencies that create procedures for an agency to establish schedules for the destruction of records held by the agency which contain personal identification information, after meeting retention requirements; define “personal identification information” to mean an item, collection, or grouping of information that may be used, alone or in conjunction with other information, to identify a unique individual, including, but not limited to, his or her: name, postal or e-mail address; telephone number, social security number; date of birth, mother’s maiden name, official state-issued or United States-issued driver license or identification number, alien registration number, government passport number, employer or taxpayer identification number, or Medicaid or food assistance account number, bank account number, credit or debit card number, or other number or information that can be used to access an individual’s financial resources, education records, medical records; license plate number of a registered motor vehicle, images, including facial images, biometric identification information, criminal history, or employment history; provide that an agency that collects personal identification information through a website and retains such information must maintain and conspicuously post a privacy policy on the website; provide minimum requirements for the content of the privacy policy, including, among other things, a description of the personal identification information that the agency collects and maintains from an individual accessing or using the website, an explanation of whether the agency’s data collecting and sharing practices are mandatory or allow a user to opt out of those practices, any available alternatives to using the website, a statement as to how the agency uses the personal identification information, including, but not limited to, whether and under what circumstances the agency discloses such

information, whether any other person collects personal identification information through the website, a general description of the security measures in place to protect personal identification information, and an explanation of public records requirements relating to the personal identification information of an individual using the website and if such information may be disclosed in response to a public records request; provide that an agency that uses a website to install a cookie on an individual's computer or electronic device shall inform an individual accessing the website of the use of cookies and request permission to install a cookie on the individual's computer, and require that if an individual accessing the website of an agency declines to have cookies installed, such individual must still be allowed to access and use the website; provide an exemption for temporary cookies that are deleted when the application or browser are closed; and require that any contract between a public agency, and a contractor must specify that the contractor must comply with these requirements (though CS/CS/SB 782 provides an exception to this requirement where the contractor provides a service to the agency that is limited to administering, facilitating, processing, or enforcing a financial transaction initiated by an individual with no direct relationship with the contractor) ; and provide that the failure of an agency to comply with these requirements does not create a civil cause of action. The bills also require the Legislature's Office of Program Policy Analysis and Governmental Accountability to report to the Legislature by July 1, 2015, on personal information held by an agency, the individual's ability to access and correct such information, and the difficulties the individual has in accessing such information. SB 782 was read the 1<sup>st</sup> time and referred to the Committee on Government Oversight & Accountability, the Appropriations Subcommittee on Health & Human Services, and the Appropriations Committee; it passed Government Oversight & Accountability as CS, Health & Human Services Appropriations recommended that Appropriations pass the bill as CS/CS, and Appropriations passed the bill as CS/CS; it had its 2<sup>nd</sup> Reading before the full Senate, had its 3<sup>rd</sup> Reading and passed the full Senate, and was sent to the House in Messages; it died in Messages. HB 1231 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, and to the committees on Appropriations, and Health and Human Services; it passed Government Operations as CS; it was sent to Appropriations, and died in committee.

CS/CS/CS/HB 849 by Rep. Smith; CS/SB 1146 by Sen. Altman – Service Animals

Among other provisions, these bills change the definition of a "service animal" to include a dog or miniature horse that is trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work done or tasks performed must be directly related to the individual's disability and may include, but are not limited to, guiding an individual a person who is visually impaired or blind, alerting an individual person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting an individual who is having a seizure, retrieving objects, alerting an individual to the presence of allergens, providing physical support and assistance with balance and stability to an individual with a mobility disability, helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors, reminding an individual with mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks. The definition specifically excludes the crime-deterrent effect of an animal's presence and the provision of

emotional support, well-being, comfort, or companionship from the definition of work or tasks. CS/SB 1146 also creates a definition of "emotional support animal" to mean an animal that provides emotional support to individuals with disabilities who have a disability-related need for such support or that alleviates one or more identified symptoms or effects of an individual's disability; the definition specifically provides that training is not required for an emotional support animal. HB 849 was read the 1<sup>st</sup> time and referred to the subcommittees on Government Operations, and Criminal Justice, and to the State Affairs Committee; it passed Government Operations as CS, had its reference to Criminal Justice removed, and a reference to the Judiciary Committee added; it passed Judiciary as CS/CS, and passed State Affairs as CS/CS/CS; it had both its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and passed the full House, was received by the Senate in Messages, and was referred to the Senate committees on Commerce & Tourism, Community Affairs, and Judiciary; it died in committee. SB 1146 was read the 1<sup>st</sup> time and referred to the committees on Commerce & Tourism, Community Affairs, and Judiciary; it passed Commerce & Tourism as CS, and was scheduled in Community Affairs, but was not considered; it died in committee.

#### HB 855 by Rep. Clelland; SB 1020 by Sen. Soto – Inspectors General

Among other provisions, these bills require the state's Chief Inspector General to publish to the Governor's website, all final investigative reports developed by agency inspectors general, within 10 days of finalizing or receiving the reports, unless they are confidential or otherwise exempt from disclosure by law. Agency inspectors general are required to publish all final investigative reports that are not confidential or otherwise exempt from disclosure by law, to the agency's website and to provide the reports to the Chief Inspector General within 10 days of finalizing the reports. HB 855 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, the Local & Federal Affairs Committee, the Government Operations Appropriations Subcommittee, and the State Affairs Committee; it died in committee. SB 1020 was read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, Community Affairs, & Appropriations; it passed Governmental Oversight & Accountability, and was sent to Community Affairs; it died in committee.

#### SB 914 by Sen. Latvala; HB 953 by Rep. Peters – State Contracting

These identical bills modify procurement procedures by requiring that for both proposals and evaluations of an agency's invitation to negotiate, the agency must consider the prior relevant experience of the vendor. SB 914 was read the 1<sup>st</sup> time and referred to the Governmental Oversight & Accountability Committee, the Subcommittee on General Government Appropriations, and the Appropriations Committee; it passed Governmental Oversight & Accountability, and General Government Appropriations made a recommendation to the Appropriations Committee that the Appropriations Committee pass the bill; it passed Appropriations, and had its 2<sup>nd</sup> Reading before the full Senate, April 30, when the Senate substituted HB 953 and laid the bill on the table; please refer to HB 953. HB 953 was read the 1<sup>st</sup> time and referred to the subcommittees on Government Operations, and Government Operations Appropriations, and to the State Affairs Committee; it passed Government Operations, passed Government Operations Appropriations, and passed State Affairs; it had its 2<sup>nd</sup> Reading before the full House, and had its 3<sup>rd</sup> Reading and passed the full House; it was received by the Senate in Messages, and was referred to the Governmental Oversight & Accountability

Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; the bill was withdrawn from the committees and substituted for SB 914, April 30, when it had its 2<sup>nd</sup> Reading; it had its 3<sup>rd</sup> Reading and passed the full Senate, May 1; it goes next to the Governor.

#### HB 923 by Rep. Pafford; CS/SB 1424 by Sen. Clemens – Regulation of Summer Camps

HB 923 requires summer camp personnel and volunteers to display an identification badge issued by the Department of Children and Families (DCF) at all times while on summer camp grounds; provides that badges shall only be issued to persons who (1) are residents and citizens of the United States or permanent resident aliens of the United States as determined by the United States Citizenship and Immigration Services, and (2) meet background screening requirements provided in law; provides that a summer camp may charge the employees and volunteers for the cost of the badges; provides that the badges are valid for 5 years or until the person terminates employment or is terminated or until the volunteer ceases working at the summer camp; and requires that within 48 hours after termination or ceasing to volunteer, the person shall return the identification badge to the operator of the summer camp. CS/SB 1424 provides that owners, operators, employees, and volunteers working in summer day camps and summer 24-hour camps providing care for children must pass a Level 2 background screening; and provide that DCF must create an online registry on the agency's internet website, available to the public, of persons who have met these requirements, using information provided by the owners and operators of the camps. HB 923 was read the 1<sup>st</sup> time and referred to the subcommittees on Healthy Families, and Health Care Appropriations, and to the Health & Human Services Committee; it died in committee. SB 1424 was read the 1<sup>st</sup> time and referred to the committees on Children, Families, & Elder Affairs, Appropriations, and Rules; it passed Children, Families, & Elder Affairs as CS, and was sent to Appropriations; it died in committee.

#### SB 986 by Sen. Joyner; HB 1095 by Rep. Rouson – Custodial Interrogations

These bills provide that for specified felony offenses, law enforcement agencies must electronically record statements of suspects during covered custodial interrogations in investigations; define "covered custodial interrogation" to mean the entirety of any custodial questioning by law enforcement personnel or persons acting in concert with law enforcement personnel when such questioning is conducted in a law enforcement facility, police vehicle, courthouse, correctional facility, community correctional center, detention facility, or other secure environment; provide that the electronic recording must include Miranda warnings and a suspect's subsequent waivers of the Miranda rights; provide that the electronic recording must include a recording of any foreign language or sign language interpreter; allow a law enforcement agency to comply by using covert electronic recordings; provide that all electronic recordings must be preserved until the investigation for the covered offense is closed and all convictions relating to the investigation, including all appeals, are final and exhausted; and provide that a civil cause of action does not arise from a failure of a law enforcement agency make and maintain the recordings. SB 986 provides that the trial court may consider the failure to make an electronic recording of the interrogation of a suspect in a covered custodial interrogation in determining the admissibility of any statement made by the suspect and that the jury may consider the failure to make an electronic recording of the

interrogation of a suspect in a covered custodial interrogation in determining whether the statement was made and, if so, the weight, if any, to give to the statement; and provides that upon request of the defendant, the court shall instruct the jury accordingly. HB 1095 provides that the failure to electronically record the interrogation of a suspect in a covered custodial interrogation shall be a factor for consideration by the trial court in determining the admissibility of any statement made by the suspect and shall be a factor for consideration by the jury in determining whether the statement was made by the suspect and, if so, the weight, if any, to be given to the statement; and provides that in the absence of an electronic recording as required by the bill, the court shall, upon request of the defendant, provide the jury with a cautionary instruction. SB 986 was read the 1<sup>st</sup> time and referred to the committees on Criminal Justice, and Judiciary, to the Appropriations Subcommittee on Criminal & Civil Justice, and to the Appropriations Committee; it died in committee. HB 1095 was read the 1<sup>st</sup> time and referred to the subcommittees on Criminal Justice, and Justice Appropriations, and to the Judiciary Committee; it died in committee.

**HB 1049 by Rep. Raschein; CS/SB 1176 by Sen. Abruzzo – Divers-down Buoys**

These identical bills: authorize a divers-down buoy to be placed in the water to protect divers, in addition to the currently authorized diver-down flag; and define “divers-down buoy” to mean a buoyant device, other than a vessel, which displays a divers-down symbol of at least 12 inches by 12 inches on either three or four flat sides, which is prominently visible on the water’s surface when in use. They define “divers-down symbol” to mean a rectangular or square red symbol with a white diagonal stripe; if rectangular, the length must not be less than the height or more than 25% longer than the height; and the width of the stripe must be 25% of the height of the symbol. They revise the definition of “divers-down flag” as follows: “The flag must consist of a divers-down symbol on each side with a white diagonal stripe that begins at the top staff-side of the flag and extends diagonally to the lower opposite corner.” (The definition in current law reads: “The flag must be red with a white diagonal stripe that begins at the top staff-side of the flag and extends diagonally to the lower opposite corner. The width of the stripe must be 25 percent of the height of the flag.”). They require divers to prominently display a divers-down flag or buoy in the area where diving occurs and prohibit the use or display of a divers-down buoy onboard a vessel. HB 1049 was read the 1<sup>st</sup> time and referred to the Agriculture & Natural Resources Subcommittee, and the State Affairs Committee; it passed Agriculture & Natural Resources, passed State Affairs, had its 2<sup>nd</sup> Reading before the full House, where it was amended, and had its 3<sup>rd</sup> Reading and passed the full House; it was received by the Senate in Messages, April 21, and referred to the committees on Environmental Preservation & Conservation, Commerce & Tourism, and Judiciary; it was withdrawn from those committees, April 23, and placed on the Senate Calendar for 2<sup>nd</sup> Reading, where it was substituted for CS/SB 1176, and had its 2<sup>nd</sup> Reading; it had its 3<sup>rd</sup> Reading and passed the full Senate, April 24; it goes next to the Governor. SB 1176 was read the 1<sup>st</sup> time and referred to the committees on Environmental Preservation & Conservation, Commerce & Tourism, and Judiciary; it passed Environmental Preservation & Conservation, passed Commerce & Tourism, and passed Judiciary as CS; during its 2<sup>nd</sup> Reading before the full Senate, April 23, it was substituted by HB 1049 and laid on the table; please refer to HB 1049.

HB 1069 by Rep. Raschein; SB 1336 by Sen. Evers – Lionfish

These identical bills: define lionfish and prohibit the importation of lionfish, hybrids, or eggs; and prohibit the aquaculture of lionfish or the sale of illegally imported lionfish. Violations would be Level Two violations – a 2<sup>nd</sup> degree misdemeanor (60 days in jail and/or \$500 fine, at the judge's discretion). They further authorize FWC and FDACS to adopt rules to administer these changes. HB 1069 was read the 1<sup>st</sup> time and referred to the subcommittees on Agriculture & Natural Resources, and Agriculture & Natural Resources Appropriations, and to the State Affairs Committee; it died in committee. SB 1336 was read the 1<sup>st</sup> time and referred to the committees on Environmental Preservation & Conservation, Commerce & Tourism, and Agriculture; it passed Environmental Preservation & Conservation, passed Commerce & Tourism, and was sent to Agriculture; it died in committee.

CS/HB 1151 by Rep. Hood; SB 1648 by Governmental Oversight & Accountability – Public Records

Among other provisions, these bills: provide that a public records request need not be made in writing unless required by law; provide that if a written request is required, the custodian of the public record must provide the statutory citation to the requester; require that the cost of clerical or supervisory assistance to provide requested public records can be no greater than the labor cost of the lowest-paid personnel capable of providing such clerical or supervisory assistance, excluding employer-paid health insurance premiums or other employer-paid benefits from the calculations; require that, in addition to other contract requirements provided by law, each public agency contract between a public agency and a contractor for services must include a provision that requires the contractor to consult the public agency's custodian of public records before denying a request to inspect or copy a record held by the contractor and notify the agency if the contractor is served with a civil action for denying such inspection; require that each agency must provide appropriate training on public record requirements to each employee according to the employee's duties; and provide that if a civil action is filed against an agency to enforce public records laws and if the court determines that the agency unlawfully refused to permit a public record to be inspected or copied, the court shall assess and award, against the agency, the reasonable costs of enforcement, which include, but are not limited to, reasonable attorney fees, including those fees incurred in litigating entitlement to, and the determination or quantification of, attorney fees for the underlying civil action; provide that, at a minimum, the court shall award the reasonable costs of enforcement for those counts upon which the plaintiff prevailed in civil actions recover costs; state that a party filing an action against the state or any of its agencies covered by the State Risk Management Trust Fund to enforce public records laws in this chapter is not required to serve a copy of the pleading claiming attorney fees on the Department of Financial Services (DFS); provide that in order for an agency to have attorney fees paid by the State Risk Management Trust Fund, the agency against whom the action is brought must provide notice to DFS of the pleading claiming attorney fees upon receipt; and provide that DFS may participate with the agency in the defense of the suit and any appeal with respect to the attorney fees. SB 1648 also clarifies public record requirements of organizations that have agencies as dues paying members. HB 1151 was read the 1<sup>st</sup> time and referred to the subcommittees on Government Operations, and Government Operations

Appropriations, and to the State Affairs Committee; it passed Government Operations as CS, and was sent to Government Operations Appropriations; it died in committee. SB 1648 was read the 1<sup>st</sup> time and referred to the Appropriations Committee; it passed Appropriations, had its 2<sup>nd</sup> Reading before the full Senate, and had its 3<sup>rd</sup> Reading and passed the full Senate; it was sent to the House in Messages, and died in Messages.

**CS/HB 1153 by Rep. Hager; CS/SB 1194 by Governmental Oversight & Accountability – Citizen Support and Direct-Support Organizations**

Among other provisions, these bills require all citizen support organizations and direct-support organizations to file annual reports by August 1 each year to the agency that created, approved, or administers the organization. The reports must include the following information: (a) The name, mailing address, telephone number, and website address of the organization; (b) The statutory authority or executive order pursuant to which the organization was created; (c) A brief description of the mission of, and results obtained by, the organization; (d) A brief description of the plans of the organization for the next 3 fiscal years; (e) A copy of the organization's code of ethics; and (f) A copy of the organization's most recent federal Internal Revenue Service Return of Organization Exempt from Income Tax form; require agencies receiving this information from a citizen support organization or direct-support organization to make the information available to the public through the agency's website; require that if the organization maintains a website, the agency's website must provide a link to the organization's website; provide that in August of each year (August 30 – HB 1153; August 15 – SB 1194), the agency shall report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability the information provided by each citizen-support organization and direct support organization; require the agency's report to include a recommendation by the agency, with supporting rationale, to continue, terminate, or modify the agency's association with the organization; require that any contract between an agency and a citizen support organization or direct-support organization must be contingent upon the organization's submission and posting of the information required by the bill, and provide that if an organization fails to submit the required information for 2 consecutive years, the agency head must terminate any contract between the agency and the organization (HB 1153 applies this provision to contracts entered into on/after July 1, 2014); provide that any law creating, or authorizing the creation of, a citizen support organization or a direct-support organization must state that the creation of or authorization for the organization is repealed on October 1 of the 5th year after reenactment, unless reviewed and saved from repeal through reenactment by the Legislature; provide that citizen support organizations and direct-support organizations in existence on July 1, 2014, must be reviewed by the Legislature by July 1, 2019; and provide that the authorization for the Commission's citizen support organizations is repealed October 1, 2019, unless reviewed and saved from repeal by the Legislature. HB 1153 was read the 1<sup>st</sup> time and referred to the subcommittees on Government Operations, and Government Operations Appropriations, and to the State Affairs Committee; it passed Government Operations as CS, passed Government Operation Appropriations, passed State Affairs, and was placed on the Calendar, available for its 2<sup>nd</sup> Reading before the full House; it died on the Calendar; please refer to CS/SB 1194. SB 1194 was read the 1<sup>st</sup> time and referred to the committees on Community Affairs, and Appropriations; it passed Community Affairs, passed Appropriations as CS, had its

2<sup>nd</sup> Reading before the full Senate, and had its 3<sup>rd</sup> Reading and passed the full Senate; May 2, it was received in the House in Messages, passed its 2<sup>nd</sup> and 3<sup>rd</sup> Readings, and passed the full House; it goes next to the Governor.

**HB 1305 by Rep. Watson; SB 1574 by Sen. Bullard – Commercial Breeding and Selling of Animals**

These identical bills require commercial animal breeders and dealers to: comply with federal animal welfare standards and rules adopted by the Florida Dept. of Business and Professional Regulation (DBPR); register with DBPR with a fee to be set by the agency; and allow DBPR to inspect the facility. Among other exceptions, the provisions do not apply to breeders who sell 15 or less animals per year directly to the consumer, when the animals have been born/bred on the breeder's residential property. Penalties include administrative fines not to exceed \$5000 and suspension/revocation of registration. HB 1305 was read the 1<sup>st</sup> time and referred to the subcommittees on Business & Professional Regulation, and Government Operations Appropriations, and to the Regulatory Affairs Committee; it died in committee. SB 1574 was read the 1<sup>st</sup> time and referred to the committees on Regulated Industries, Agriculture, and Appropriations; it died in committee.

**SB 1322 by Sen. Evers; HB 1323 by Rep. Kerner – Law Enforcement and Corrections Officers**

These bills pertain to the procedures governing the investigation of law enforcement and correctional officers. Among other provisions, they authorize: the legal representative of the officer to obtain a recording of an interrogation session; the officer or his/her representative to address the findings of the investigation before discipline is imposed; and authorize the office to seek injunctive relief to ensure the provisions of the legislation is followed. SB 1322 was read the 1<sup>st</sup> time and referred to the committees on Criminal Justice, Governmental Oversight & Accountability, and Community Affairs; it was scheduled in Criminal Justice, but was not considered; it died in committee. HB 1323 was read the 1<sup>st</sup> time and referred to the subcommittees on Criminal Justice, and Government Operations, and to the Judiciary Committee; it was scheduled in Criminal Justice, but was temporarily deferred; it died in committee.

**CS/CS/HB 1363 by Rep. Van Zant; CS/CS/SB 1594 by Sen. Bradley – Vessel Safety**

These bills: provide liability protection to the Commission, local law enforcement agencies, and sworn officers when relocating or removing derelict vessels that pose a danger to the environment, property, or persons, unreasonably or unnecessarily constitute a navigational hazard, or interfere with another vessel, but remove the liability protection if the agency or officer causes damages from gross negligence or willful misconduct; provide for the recovery of costs associated with vessel removal or relocation; require the Department of Legal Affairs to represent the Commission in actions to recover costs; require that a contractor performing relocation or removal activities at the direction of the Commission, local law enforcement agencies, or sworn officers must be licensed in accordance with U.S. Coast Guard regulations, obtain and carry in full force and effect liability insurance, and be properly equipped to perform the services. HB 1363 was read the 1<sup>st</sup> time and referred to subcommittees on Agriculture & Natural Resources, and Agriculture & Natural Resources Appropriations, and to the State Affairs Committee; it passed Agriculture & Natural Resources as CS, had its

reference to Agriculture & Natural Resources Appropriations removed, and passed State Affairs as CS/CS; it had its 2<sup>nd</sup> Reading before the full House, and had its 3<sup>rd</sup> Reading and passed the full House; it was received by the Senate in Messages, and referred to the committees on Environmental Preservation & Conservation, Criminal Justice, and Appropriations; it was withdrawn from the committees of reference, substituted for CS/CS/SB 1594, and had its 2<sup>nd</sup> Reading before the full Senate, May 1; it had its 3<sup>rd</sup> Reading and passed the full Senate, May 2; it goes next to the Governor. SB 1594 was read the 1<sup>st</sup> time and referred to the committees on Environmental Preservation & Conservation, Criminal Justice, and Appropriations; it passed Environmental Preservation & Conservation as CS, and passed Criminal Justice as CS/CS, and was withdrawn from the Appropriations Committee, April 29; it had its 2<sup>nd</sup> Reading before the full Senate, May 1, when the Senate substituted CS/CS/HB 1363 and laid the bill on the table; please refer to CS/CS/HB 1363.

#### SB 1398 by Sen. Hays – Land Conservation

SB 1398 provides that the State may purchase land outside an area of critical state concern for conservation purposes only if all of the following provisions are met: (1) an accurate inventory, conducted within the last 12 months, of state-owned property is made publicly available; (2) sufficient funds are approved in the state's annual budget for the restoration and maintenance of existing properties; (3) a description of the current use of existing properties and an analysis of proposed future uses of existing properties are made publicly available; and (4) an analysis by the State describing the annual cost of restoration and maintenance of the proposed land purchase is completed and made publicly available, and funds sufficient to restore and maintain the proposed land purchase are approved and set aside. The bill provides an exemption from these requirements if the purchase of land is approved by referendum or if the land is purchased for active public use. SB 1398 was read the 1<sup>st</sup> time and referred to the committees on Environmental Preservation & Conservation, Community Affairs, and Appropriations; it died in committee.

#### HB 1435 by Rep. Eagle; HB 1437 by Rep. Eagle – Drug Testing of Public Officers

Among other provisions, HB 1435 would create the "Drug Free Public Officers Act," requiring that an individual holding a state or local constitutional office undergo a drug test no later than 60 days after taking office and no later than 60 days after reelection or reappointment to an office; provides that the public officer's agency shall pay for the testing; sets forth standards for the testing; provides for the notification of the Commission on Ethics and the public officer upon a positive test, and allows the public officer to explain/contest the results; provides for rehabilitation at the individual's expense; provides that a public officer who refuses to undergo drug testing shall resign the public office; and requires that a public officer who is convicted or found guilty of, or who enters a plea of nolo contendere to, a felony drug offense is subject to removal from office. HB 1437 would make all drug testing results and records related to the drug testing in HB 1435 confidential and exempt from disclosure under public records laws. HB 1435 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, and to the committees on Appropriations, and State Affairs; it died in committee. HB 1437 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, and to the State Affairs Committee; it died in committee.

## **Bills of Interest Concerning State Employees**

Cindy Hoffman, Director, Office of Human Resources

### CS/HB 105 by Rep. Berman; CS/SB 220 by Sen. Thompson – Florida Civil Rights Act

These similar bills add pregnancy to the prohibited discriminations currently in statute (i.e. race, color, religion, sex, national origin, age, handicap, or marital status); and prohibit discrimination on the basis of pregnancy, childbirth, or related medical condition in employment benefits, public lodging, food establishments and other specified areas. HB 105 was read the 1<sup>st</sup> time and referred to the Civil Justice Subcommittee, and the committees on State Affairs, and Judiciary; it passed Civil Justice as CS, passed State Affairs, passed Judiciary, was placed on the Calendar, making it available for its 2<sup>nd</sup> Reading before the full House; it died on the Calendar. SB 220 was read the 1<sup>st</sup> time and referred to the committees on Commerce & Tourism, Judiciary, and Community Affairs; it passed Commerce & Tourism, passed Judiciary, passed Community Affairs as CS, had a reference to the Rules Committee added, and passed Rules; it had its 2<sup>nd</sup> Reading before the full Senate, had its 3<sup>rd</sup> Reading and final passage by the full Senate, and was sent to the House in Messages; it died in Messages.

### SB 234 by Sen. Clemens; HB 505 by Rep. Stafford – Discrimination in Employment Screening

These identical bills prohibit employers from inquiring into or considering an applicant's criminal record on the initial employment application unless required by law. Allows for employer inquiry after the applicant's qualifications have been screened and the employer has determined the applicant meets the minimum employment requirements for a specified position. SB 234 was read the 1<sup>st</sup> time and referred to the committees on Commerce & Tourism, Governmental Oversight & Accountability, Criminal Justice, and Rules; it died in committee. HB 505 was read the 1<sup>st</sup> time and referred to the subcommittees on Criminal Justice, and Economic Development & Tourism, and to the Judiciary Committee; it died in committee.

### HB 239 by Rep. Saunders; SB 348 by Sen. Abruzzo – Prohibits Discrimination; Creates the "Florida Competitive Workforce Act"

Named the "Florida Competitive Workforce Act", these similar bills add sexual orientation and gender identity or expression, and the perception of race, creed, color, sex, physical disability, national origin, sexual orientation, and gender identity or expression as impermissible grounds for discrimination in employment, public lodging, food establishments and other specified areas. HB 239 was read the 1<sup>st</sup> time and referred to the subcommittees on Civil Justice, and Government Operations, and to the Judiciary Committee; it died in committee. SB 348 was read the 1<sup>st</sup> time and referred to the committees on Commerce & Tourism, Judiciary, Governmental Oversight & Accountability, and Rules; it died in committee.

### HB 251 by Rep. Rodriguez; SB 1056 by Sen. Braynon – Unemployment Compensation

These identical bills prohibits denying unemployment benefits to an individual who voluntarily left employment if he or she proves that his or her discontinued employment was a direct result of circumstances related to domestic violence as defined in s. 741.28, F.S. HB 251 was read the 1<sup>st</sup> time and referred to the subcommittees on

Economic Development & Tourism, Finance & Tax, and Transportation & Economic Development Appropriations, and to the Economic Affairs Committee; it died in committee. SB 1056 was read the 1<sup>st</sup> time and referred to the Commerce & Tourism Committee, the Appropriations Subcommittee on Transportation, Tourism & Economic Development Appropriations, and the Appropriations Committee; it died in committee.

**CS/SB 324 by Sen. Detert – Prohibited Employment Practices**

This bill: prohibits an employer from using a job applicant's credit report or credit history to make certain hiring, compensation or other employment decisions; provides for specific situations when an employer may use such information for bonafide job related reasons including when hiring for positions that are managerial, supervisory or law enforcement and when hiring for positions that have access to personal information of a customer or employee, or that will have a fiduciary responsibility to the employer including the authority to issue payments, collect debts, transfer money or enter into contracts. SB 324 was read the 1<sup>st</sup> time and referred to the committees on Commerce & Tourism, Judiciary, Governmental Oversight & Accountability, and Rules; it passed Commerce & Tourism as CS, and was sent to Judiciary; it died in committee.

**HB 385 by Rep. Stafford; SB 456 by Sen. Soto – State Minimum Wage**

These identical bills require Florida employers to pay a minimum wage of \$10.10 to employees beginning January 1, 2015. HB 385 was read the 1<sup>st</sup> time and referred to the Economic Development & Tourism Subcommittee and to the committees on Appropriations, and Economic Affairs; it died in committee. SB 456 was read the 1<sup>st</sup> time and referred to the Commerce & Tourism Committee, the Appropriations Subcommittee on Finance & Tax, and the Appropriations Committee; it died in committee.

**HB 519 by Rep. Grant; SB 844 by Sen. Latvala – Unemployment Compensation**

These identical bills prohibit employers from being charged for unemployment compensation benefits for former employees if the employee was laid-off due to the termination of a federal contract or laid-off due to the employee's inability to meet new employment eligibility security requirements required by federal law, regulation or executive order. HB 519 was read the 1<sup>st</sup> time and referred to the subcommittees on Economic Development & Tourism, and Transportation & Economic Development Appropriations and the Economic Affairs Committee; it died in committee. SB 844 was read the 1<sup>st</sup> time and referred to the Commerce & Tourism Committee, the Appropriations Subcommittee on Transportation, Tourism & Economic Development, and the Appropriations Committee; it was scheduled in Commerce and Tourism, but was temporarily postponed, and died in committee.

**SB 1108 by Community Affairs; HB 7049 by Rep. Ahern – Dependent Children Insured by Agency Group Insurance Plan**

These identical bills make permanent the public record exemption for the personal identifying information of a dependent child of a state employee when the child is insured under the agency's group insurance plan. SB 1108 was read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, and Rules; it passed Governmental Oversight & Accountability, and passed Rules; it had its 2<sup>nd</sup> Reading before the full Senate, had its 3<sup>rd</sup> Reading and final passage before the full Senate and was sent to the House in Messages; on April 25, it was substituted for

HB 7049, had both its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and final passage by the full House; it goes next to the Governor. HB 7049 was read the 1<sup>st</sup> time and referred to the State Affairs Committee; it passed State Affairs; it was scheduled for its 2<sup>nd</sup> Reading before the full House, was substituted by SB 1108, and laid on the table; please refer to SB 1108.

#### SB 1110 by Community Affairs – Deferred Compensation

This bill: automatically enrolls FTE and OPS state employees, who average at least 20 work hours per week, into the deferred compensation pre-tax supplemental retirement program; provides an opt-out provision for employees; for employees who participate, requires an agency contribution that matches the employee's contribution, but it may not exceed the lesser of 2% of the employee's salary for the pay period or \$46.15 biweekly; biweekly employees will be enrolled at a contribution level of at least \$12.50 each pay period through 2017, and at least \$25 thereafter; provides for an agency contribution when an employee defers a portion of an awarded bonus at 25% of the employee's deferral or up to \$500, whichever is less. SB 1110 was read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, and Appropriations; it died in committee.

#### CS/CS/SB 1114 by Community Affairs; HB 7173 by State Affairs; HB 7181 by State Affairs – Florida Retirement System (FRS)

These bills make the following changes to the FRS for employees hired on or after July 1, 2015: change the vesting period from 8 years to 10 years for those in the pension retirement plan; change the default plan for employees who fail to make a selection between the pension and investment plans to the investment plan; prohibit members initially enrolling in the Elected Officer's Class or Senior Management Service Class from participating in the pension plan; and increase the amount of time the employee has to make the retirement plan selection from 5 to 8 months after hire. In addition, SB 1114: allows renewed membership in the Regular Class of the investment plan to investment plan retirees who retired prior to July 1, 2010, with less than 10 years of creditable service; prohibits retroactive service credit payments into the investment plan for service during the period July 1, 2010 and the bill's effective date of Jan. 1, 2015; allows employees not currently receiving the maximum retiree Health Insurance Subsidy to earn additional credit for the subsidy; and eliminates the option to switch to the pension plan for employees hired on or after Jan. 1, 2015, who initially enrolled or defaulted into the investment plan. SB 1114 was read the 1<sup>st</sup> time and referred to the committees on Governmental Oversight & Accountability, and Appropriations; it passed Governmental Oversight & Accountability as CS, and passed Appropriations as CS/CS; it was amended and had its 2<sup>nd</sup> Reading before the full Senate, April 30; it died on the Calendar. HB 7173 was approved as a committee bill by the State Affairs Committee; it was read the 1<sup>st</sup> time and referred to the Appropriations Committee; it passed Appropriations, and was placed on the Calendar, making it available for its 2<sup>nd</sup> Reading before the full House; it died on the Calendar. HB 7181 was approved as a committee bill by the State Affairs Committee; it was read the 1<sup>st</sup> time and referred directly to the Calendar; it had its 2<sup>nd</sup> Reading, where it was amended, had its 3<sup>rd</sup> Reading, where it was amended again and passed the full House; it was sent to the Senate in Messages, and referred to the committees on Community Affairs, Governmental Oversight & Accountability, and Appropriations; April 30, the bill was

withdrawn from the committees of reference and placed on the Calendar for its 2<sup>nd</sup> Reading; it died on the Calendar.

**CS/SB 1198 by Sen. Montford; HB 1379 by Rep. Williams – Purchase of Retirement Credit**

These identical bills adds allows employees to purchase credits in the Florida Retirement System based on their previous employment at a charter school, charter technical center or in an accredited nonpublic school or college in Florida. SB 1198 was read the 1<sup>st</sup> time and referred to the committees on Community Affairs, Governmental Oversight & Accountability, and Appropriations; it passed Community Affairs as CS, and was sent to Governmental Oversight & Accountability; it died in committee. HB 1379 was read the 1<sup>st</sup> time and referred to the Government Operations Subcommittee, and the committees on Appropriations, and State Affairs; it died in committee.

**SB 1678 by Governmental Oversight & Accountability; HB 7143 by Government Operations – Disclosure of Employee’s Social Security Number**

These bills continue the existing public records exemption for former and current agency employees’ social security numbers. They also give agencies authority to provide social security numbers of present or former employees if the disclosure: is required by federal or state law or court order; is disclosed to another agency or government entity when the social security number is necessary for the receiving agency or entity to perform its duties and responsibilities; or if the current or former employee expressly consents in writing to the disclosure of his/her social security number. SB 1678 was read the 1<sup>st</sup> time and referred to the committees on Community Affairs, and Rules; it passed Community Affairs and passed Rules; it had its 2<sup>nd</sup> Reading before the full Senate, and had its 3<sup>rd</sup> Reading and passed the full Senate; it was received by the House in Messages,, it was substituted for HB 7143, had both its 2<sup>nd</sup> and 3<sup>rd</sup> Readings and passed the full House; it goes next to the Governor. HB 7143 was read the 1<sup>st</sup> time and referred to the State Affairs Committee; it passed State Affairs, was scheduled for its 2<sup>nd</sup> Reading, substituted by SB 1678 and laid on the table; please refer to SB 1678.

**SB 1692 by Governmental Oversight & Accountability – Florida Retirement System**

This bill authorizes renewed membership in the retirement system for retirees who retired under the Investment Plan, Senior Manager Optional Annuity Plan, Elected Officers Class, State University Optional Retirement Program, or State Community College Optional Retirement Program. The renewed membership is not available to employees who retired under the Pension Plan. Employees in a regularly established position on or after January 1, 2015, will automatically be enrolled in the Investment Plan; Special Risk Class members will be enrolled as a renewed member of the Special Risk Class Investment Plan. SB 1692 was read the 1<sup>st</sup> time and referred to the committees on Community Affairs, and Appropriations; it died in committee.

**CS/HB 7157 by Health & Human Services Committee – State Group (Health) Insurance Program**

This bill: directs the Department of Management Services (DMS) to set employee health insurance contribution rates based on the differences in the benefits offered among available plans; requires current rates for the PPO plan to decrease in the next plan

year and allows the rates of HMOs to increase; requires DMS to create a 3-year price transparency project which sets benchmarks for the costs of medical procedures - employees who have a procedure that costs less than the benchmark price will receive 50% of the difference in cost between the benchmark price and the procedure price; authorizes a 90-day prescription benefit for maintenance prescription drugs purchased at a retail pharmacy; and for plan year 2015 allows DMS to offer products and services such as prepaid health clinics and health care providers that sell services for a specified amount and provide innovative and cost-effective health service delivery methods. The bill also directs DMS to have in place by 2017 four benefit levels (Bronze, Silver, Gold and Platinum); employees will receive a certain amount to purchase a plan and will be required to pay the difference if the cost of the plan they choose is greater than the State's contribution; employees who choose a plan that costs less than the State's contribution will be allowed to direct any savings to fund a health flexible spending account, fund a health savings account, purchase additional benefits offered under the State group insurance plan, or increase their salary. HB 7157 was approved as a committee bill by the Health & Human Services Committee, had its 1<sup>st</sup> Reading, and was referred to the Appropriations Committee; it passed Appropriations as CS; it had its 2<sup>nd</sup> Reading before the full House, had its 3<sup>rd</sup> Reading and passed the full House, was received by the Senate in Messages, and was referred to the Governmental Oversight & Accountability Committee, Appropriations Subcommittee on Health & Human Services, and Appropriations Committee; it died in committee.