

Fish and Wildlife Conservation Commission 2015 Session Report – Week 6

Legislative Affairs Office
April 11, 2015

The sixth week of Session has just concluded; only three weeks left. It is getting easier to see which bills have a chance of passing. Committee meetings are winding down with about ten days left to meet. If a bill has not been heard in any committee or heard in only one with several committee references left, the odds are against the bill passing. There are rules that allow a bill to be withdrawn from a committee of reference, and go to the next stop, but the chairman of the respective committee must approve, and it is not pro forma by any means.

FWC's bills are in good posture, as the House bill, HB 7021 by Reps. Sullivan and Trumbull, State Affairs Committee, and Agriculture & Natural Resources Subcommittee, is awaiting Floor action. Its companion, SB 680 by Sen. Dean, has one more committee stop before it is ready for Floor action. It should be noted, though, that a lot of bills die at the end of Session waiting for Floor action, so FWC staff continues to work diligently with the sponsors to have the bills placed on the necessary agendas.

Regarding FWC's budget status, please see the accompanying budget report from Charlotte Jerrett, FWC's Chief Financial Officer.

In the following update of some of the bills that FWC is monitoring, those bills having activity this past week will have **"Update"** on the title line and the title line will be highlighted in **green**.

Fish and Wildlife Conservation Commission Legislation

Update - HB 241 by Rep. Trumbull; CS/HB 7021 by State Affairs Committee, Agriculture & Natural Resources Subcommittee, Rep. Sullivan and Rep. Trumbull; CS/CS/SB 680 by Sen. Dean – Fish and Wildlife Conservation Commission

HB 241, CS/HB 7021, and CS/SB 680 would remove life vest type codes from statute (consistent with Federal law eliminating type codes) and change the language to make any U.S. Coast Guard approved life vest legal in Florida – regardless of if they are labeled with type codes or not. CS/HB 7021 and CS/SB 680 would: change the recreational tarpon tag effective date to make it valid from January to December; repeal the recreational angler's requirement to report information about a harvested tarpon to FWC; repeal from statute the income requirements for commercial fishers to qualify for a Restricted Species Endorsement (RS); provide exemptions for certain groups from having to acquire alligator trapping licenses or to pay the licensing fees (consistent with other recreational hunting exemptions); repeal the requirement for nuisance alligator trappers to purchase an alligator trapping license when taking nuisance alligators; clarify that the transfer of funds from FWC to the Dept. of Agriculture and Consumer Services

for alligator marketing and education are dependent on an annual appropriation in FWC's budget; and modify current penalties for violations of rules that prohibit feeding wildlife and freshwater fish species, reducing a first time offense to a noncriminal infraction with a \$100 fine, with increased penalties for repeat offenders. HB 241 was read the 1st time and referred to the Subcommittee on Highway & Waterway Safety, and the Economic Affairs Committee; it passed Highway & Waterway Safety, and passed Economic Affairs, March 11; it had its 2nd Reading before the full House, April 8, and had its 3rd Reading and passed the House on April 9. HB 7021 was read the 1st time and referred to the Agriculture & Natural Resources Appropriations Subcommittee and the Committee on State Affairs; it passed Agriculture and Natural Resources Appropriations, and passed State Affairs as a CS, March 26; it is now on the Calendar, available for consideration by the full House for its 2nd Reading. SB 680 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the General Government Appropriations Subcommittee, and the Appropriations Committee; it passed Environmental Preservation & Conservation as a CS, passed and was recommended as a CS/CS by General Government Appropriations, April 2; it is now in Appropriations, who will consider the recommendation by its subcommittee.

Other Bills of Interest to FWC

Update – CS/CS/HB 57 by Rep. Jones; SB 7080 by Criminal Justice – Law Enforcement Officer Body Cameras

These bills require law enforcement agencies that permit their officers to wear body cameras to establish policies and procedures addressing proper use, maintenance, and storage of body cameras and the data recorded by them; require the policies and procedures to include specified information; require training by those law enforcement agencies permitting the use of body cameras; require that data recorded by body cameras be retained in accordance with public records laws; and require periodic review of agency body camera practices to ensure conformity with policies and procedures. HB 57 was read the 1st time and referred to the Criminal Justice Subcommittee, and to the committees on Appropriations and Judiciary; it passed Criminal Justice as amended, and passed Appropriations as a CS/CS, and is scheduled in Judiciary, April 14. SB 7080 was submitted as a proposed committee bill by the Criminal Justice Committee, and the Committee voted favorably for the bill, April 7; it was read the 1st time and referred to the Fiscal Policy Committee.

Update – CS/HB 71 by Rep. Smith; CS/SB 414 by Sen. Altman – Service Animals

These bills would, for purposes of statutes dealing with public accommodations and housing: expand the definition of an "individual with a disability" to include persons who have physical or mental impairment that substantially limits one or more major life activities of the individual; revise the definition of "service animal" to include an animal that is trained to do work for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, and require that such work be directly related to the individual's disability (for purposes of public accommodations only, the term "service animal" would be limited to a dog or miniature horse); provide that the

crime-deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of the definition of service animal; require a public accommodation to modify its policies, practices, and procedures to permit the use of a service animal by an individual with a disability; require a service animal to be under the control of its handler and require the use of a harness, leash, or other tether, unless either the handler is unable to because of a disability, or it would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control by means of voice control, signals, or other effective means; prohibit public accommodations from asking about the nature or extent of an individual's disability (though, to determine if the animal is a service animal or a pet, the public accommodation may ask if an animal is a service animal required because of a disability and what work or tasks the animal has been trained to perform); authorize a public accommodation to exclude or remove an animal from the premises if the animal is out of control and the animal's handler does not take effective action to control it or if the animal is not housebroken; require, in addition to other penalties currently provided by law, 30 hours of community service for entities violating this law or who otherwise interfere with the rights of an individual with a disability or trainer of a service animal while engaged in training such service animal; and provide that it is a 2nd degree misdemeanor for knowingly and willfully misrepresenting one's self as using and being qualified to use a service animal or as a trainer of a service animal. HB 71 was read the 1st time and referred to the Government Operations Subcommittee and to the committees on Judiciary and State Affairs; it passed Government Operations, passed Judiciary as a CS, and passed State Affairs; it had its 2nd and 3rd Readings, and passed the full House, March 27; it was received by the Senate in messages, April 1, and was referred to the committees on Commerce & Tourism, Community Affairs, and Fiscal Policy. SB 414 was read the 1st time and referred to the committees on Commerce & Tourism, Community Affairs, and Fiscal Policy; it passed Commerce & Tourism as a CS, passed Community Affairs, April 7, and is scheduled in Fiscal Policy, April 15.

[Update – CS/CS/HB 163 by Rep. Beshears; CS/CS/SB 224 by Sen. Simpson – Public Records/Public Agency Contractors](#)

These bills require each public agency contract for services to include the contact information of the agency's public records custodian, and a statement that the contractor must provide access to public records, but only upon the request of the agency's public records custodian (CS/HB163 requires that this access be provided to the public, while CS/CS/SB 224 requires that this access be provided to the agency); allow a contractor to maintain public records upon completion of the contract, as an alternative to the existing requirement to transfer them to the agency; require the public to make all public records requests regarding contracts for services directly to the agency rather than to the contractor; provide that a contractor who fails to provide requested records to an agency within a reasonable time may be subject to civil and criminal penalties; and provide that reasonable costs and attorney fees will not be assessed in a public records enforcement lawsuit relating to a public agency's contract for services unless the plaintiff provides written notice to the agency's custodian of public records or a contractor, by certified mail, for a specified number business days prior to filing the civil action (HB 163 specifies 3 business days; SB 224 specifies 8 business days). HB 163 was read the 1st time and referred to the subcommittees on

Government Operations and Government Operations Appropriations, and to the State Affairs Committee; it passed Government Operations as a CS, passed Government Operations Appropriations as a CS/CS, and is scheduled in State Affairs, April 14. SB 224 was read the 1st time and referred to committees on Governmental Oversight & Accountability, Judiciary, and Fiscal Policy; it passed Governmental Oversight & Accountability as a CS, passed Judiciary as a CS/CS, and passed Fiscal Policy; it had its 2nd Reading and was amended, April 1, had its 3rd Reading and was amended, and passed the full Senate, April 2, and was received in the House, April 8.

Update – HB 211 by Rep. Raschein; SB 546 by Sen. Simpson; HB 7079 by the Highway & Waterway Safety Subcommittee; SB 7072 by the Transportation Committee – Bonefish and Tarpon Trust Specialty License Plate & Ducks Unlimited Specialty License Plate

These 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 must be invested and reinvested and the interest used to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy. SB 7072 and HB 7079 also: create a Ducks Unlimited license plate; provide that the Department of Highway Safety and Motor Vehicles (DMV) must discontinue the issuance of any specialty license plate if the issuance of the plate falls below 4000 for at least 12 consecutive months (SB 7072 would implement this requirement beginning July 1, 2020; HB 7079 would implement it July 1, 2017); and provide that the Division of Motor Vehicles will provide a warning letter to the sponsoring organization following the first month in which the sales of the plate falls below 4000. SB 7072 provides that collegiate license plates are exempt from the new discontinuation provisions above; HB 7079 provides that collegiate, Special Olympics, Florida professional sports teams, U.S. Marine Corps, military services, and autism license plates are not subject to these provisions. HB 211 was read the 1st time and referred to the subcommittees on Highway & Waterway Safety, and Transportation & Economic Development Appropriations, and to the Economic Affairs Committee. SB 546 was read the 1st time and referred to the Transportation Committee, the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and the Appropriations Committee. SB 7072 was submitted for consideration by the Senate Transportation Committee; it passed Transportation, March 26, was read the 1st time and referred to the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and to the Fiscal Policy Committee; it is scheduled in Transportation, Tourism, and Economic Development Appropriations, April 14. HB 7079 was read the 1st time and referred to the Economic Affairs Committee; it passed Economic Affairs as a CS, March 26; it is now on the Calendar and available for its 2nd Reading before the full House.

Update – CS/CS/CS/SB 248 by Sen. Smith – Public Records/Audio or Video Recordings Made by Law Enforcement Officers

This bill would provide that certain body camera recordings made by law enforcement officers are exempt from public records disclosure requirements; provide that the body camera recordings may be disclosed in the course of the law enforcement agency's

official duties, pursuant to a court order, to persons depicted in the recording or their personal representatives (except that only the portion relevant to the person's presence may be disclosed) or 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 (though the law enforcement agency may disclose only those portions that record the interior of such a place); provide criteria a court must consider when choosing whether or not to issue an order requiring disclosure of these recordings; require that a law enforcement agency must retain body camera videos for a minimum of 90 days; and provide for retroactivity of these provisions. SB 248 was read the 1st time and referred to the committees on Criminal Justice and Community Affairs, the Appropriations Subcommittee on Criminal & Civil Justice, and the Appropriations Committee; it passed Criminal Justice as a CS, and had all remaining references removed; it was then referred to the committees on Governmental Oversight & Accountability and Rules; it passed Governmental Oversight & Accountability as a CS/CS, and passed Rules as a CS/CS/CS; it is scheduled for its 2nd Reading before the full Senate, April 14.

HB 253 by Rep. Rogers; SB 508 by Sen. Bullard – Small Business Participation in State Contracting

These bills direct state agencies to avoid contract bundling; require agencies to conduct market research to determine if bundling is necessary; to include in solicitations for bundled contracts why bundling is necessary; require agencies to award 35 percent of contracts to small businesses; require contractors to use small businesses as subcontractors; and provide requirements for payment of subcontractors. SB 508 also restricts bid bonding requirements and requires the rules ombudsman in the Governor's Office to report on the use of small businesses in state contracting. HB 253 was read the 1st time and referred to the subcommittees on Government Operations and Government Operations Appropriations, and to the State Affairs Committee. SB 508 was read the 1st time and referred to the Governmental Oversight & Accountability Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it passed Governmental Oversight & Accountability, March 4, and is now in General Government Appropriations.

HB 289 by Rep. Harrell; SB 598 by Sen. Altman – Boating Under the Influence

These bills provide that a conviction for boating under the influence must be reported to the Department of Highway Safety & Motor Vehicles and recorded in a person's driving record; and provide that convictions for boating under the influence are considered prior convictions for driving under the influence and vice versa. HB 289 was read the 1st time and referred to the subcommittees on Highway & Waterway Safety, and Justice Appropriations, and to the Economic Affairs Committee. SB 598 was read the 1st time and referred to the committees on Criminal Justice, Transportation, and Appropriations.

HB 347 by Rep. Taylor – Persons with Disabilities

Among other provisions, this bill provides 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 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 must include incidents of crashes involving legally blind persons and crashes involving mobility-impaired persons. In addition, the bill requires that the curricula of every basic skills course required for driver's education classes and for law enforcement officers to obtain initial certification must include the study of section 316.1301, F.S., and traffic laws to assist legally blind and mobility-impaired persons. HB 347 was read the 1st time and referred to the subcommittees on Criminal Justice, and Highway & Waterway Safety, and to the committees on Appropriations and Judiciary.

Update – CS/CS/HB 435 by Rep. Adkins; SB 718 by Lee – Administrative Procedures

Among other provisions, these bills would modify the Administrative Procedures Act to: provide conditions under which a proceeding is not substantially justified for purposes of attorney fees and costs; require agencies to set a time for workshops and to discontinue reliance upon agency statements or unadopted rules; provide additional items that must be noticed by an agency in the Florida Administrative Register; require agencies to provide such notice to registered recipients, and to provide Internet links to the Secretary of State's or the agency's website that contains the proposed or final rule; specify that petitions for administrative determinations apply to rules and proposed rules; provide that the petitioner has the burden of going forward with the evidence and the agency has the burden by a preponderance of the evidence to show that the rule, proposed rule, or agency statement is not an invalid exercise of delegated legislative authority; prohibit an administrative law judge (ALJ) from bifurcating petitions which challenge both an agency action and allege that agency action was based upon agency statements or unadopted rules; authorize a petitioner seeking a declaratory statement to submit to an agency their understanding of how certain rules apply to specific facts; specify the timeframe to accept the statement, offer changes or other clarifications; authorize the award of attorney fees when the petitioner appeals the agency denial of the request for a declaratory statement and it is determined that the agency improperly denied the request; grant agencies additional time, up to 10 days, to render final orders following entry of a mandate on any appeal from a final order in certain circumstances; conform proceedings based on invalid or unadopted rules to proceedings used for challenging existing rules; require an agency to issue a notice regarding its reliance on the challenged rule or alleged unadopted rule; authorize the ALJ to make certain findings on the validity of certain alleged unadopted rules; require the ALJ to issue a separate final order on certain rules and alleged unadopted rules; prohibit agencies from rejecting specific conclusions of law; limit situations under which an agency may reject or modify conclusions of law; provide for a stay of proceedings not involving disputed issues of fact upon timely filing of a rule challenge; provide that the final order terminates the stay; provide additional situations in which a party may request mediation; provide criteria for establishing whether a nonprevailing party participated in a proceeding for an improper purpose; revise provisions providing for the award of attorney fees and costs by the appellate court or ALJ; repeal the mechanism for an agency to show its action was justified; require notice of a proposed challenge by the petitioner as a condition precedent to filing a challenge and being eligible for the reimbursement of attorney fees and costs; authorize the recovery of attorney fees and costs incurred in certain circumstances; provide that attorney fees and costs incurred in certain circumstances are *not* limited in amount; require agencies appealing an order

rendered in a challenged or alleged unadopted rule to provide notice of appeal to the Administrative Procedures Committee. HB 435 was read the 1st time and referred to the subcommittees on Rulemaking, Oversight, & Repeal, and Government Operations Appropriations, and to the State Affairs Committee; it passed Rulemaking, Oversight, & Repeal as a CS, passed Government Operations Appropriations as a CS/CS, April 7, and is scheduled in State Affairs, April 14. SB 718 was read the 1st time and referred to the Judiciary Committee, the Appropriations Subcommittee on General Government, and to the Appropriations Committee; it passed Judiciary, and was scheduled to be heard in General Government Appropriations, April 2, but was not considered; it was rescheduled in General Government Appropriations, April 8, where the subcommittee recommended that the Appropriations Committee pass the bill; it goes next to the Appropriations Committee, which will vote on the General Government Appropriations recommendation.

HB 559 by Rep. Drake; SB 846 by Sen. Evers – Public Records/Location of Artificial Reefs

These identical bills would exempt from public records laws information that identifies the locations of artificial reefs funded with private contributions, and (like all public records exemptions) would repeal the law in 5 years unless the Legislature reenacts it. HB 559 was read the 1st time and referred to the subcommittees on Agriculture & Natural Resources, and Government Operations, and to the State Affairs Committee. SB 846 was read the 1st time and referred to the committees on Environmental Preservation & Conservation, Governmental Oversight & Accountability, and Rules.

CS/CS/HB 571 by Rep. Rodrigues; SB 1530 by Sen. Brandes – Personal Privacy

Among other provisions, these bills would: prohibit a law enforcement officer or law enforcement agency from using a wall-penetrating radar device except under limited exceptions, including executing a lawful arrest warrant. SB 1530 also provides exceptions for countering a high risk of terrorism after obtaining a search warrant, or where there is a reasonable belief that swift action is needed to prevent imminent danger to life or serious damage to property, to stop the imminent escape of a suspect or the destruction of evidence, or to achieve purposes, including, but not limited to, facilitating the search for a missing person; CS/HB 571 provides for any other lawful exception. The bills: provide that information contained in a portable electronic device is not subject to search by a government entity, including a search incident to a lawful arrest, except pursuant to a warrant signed by a judge and based on probable cause or pursuant to a lawful exception to the warrant requirement; prohibit government entities from entering into a nondisclosure agreement with a vendor who sells equipment to monitor electronic devices; requires communication carriers to report to FDLE annually on law enforcement agencies requesting monitoring information; requires FDLE to report to the Governor and Legislature on law enforcement monitoring, associated warrants, and results; and provide for civil and criminal sanctions. HB 571 would also: prohibit the Dept. of Highway Safety and Motor Vehicles from inserting electronic tracking devices in driver licenses or identification cards and from obtaining fingerprints or biometric DNA material from a U.S. citizen for the issuance, renewal, reinstatement, or modification of drivers licenses or identification cards; and prohibit electronic communications services providers from providing third parties with information that allows an Internet protocol (IP) address to be linked to a specific customer without the

consent of the customer, except when complying with a lawful subpoena, court order, or warrant. SB 1530 also requires each prosecutor to report to FDLE annually on monitoring warrants requested and results. HB 571 was read the 1st time and referred to the subcommittees on Criminal Justice and Government Operations, and to the committees on Appropriations and Judiciary; it passed Criminal Justice as a CS, March 12, had its reference to Government Operations removed and a reference to the Education Committee added; it passed Appropriations as a CS/CS, March 19, had its reference to Education removed and a reference to the Judiciary Committee added; it is now in Judiciary. SB 1530 was read the 1st time and referred to the committees on Criminal Justice, Judiciary, and Fiscal Policy.

CS/SB 584 by Sen. Dean; CS/CS/SB 586 by Sen. Dean; HB 1291 by Rep. Boyd – Implementation of the Water and Land Conservation Constitutional Amendment

These bills are the proposals by the respective Chambers to implement the Florida Water and Land Conservation Amendment (Article X, Section 28 of the Florida Constitution) passed in 2014 (Amendment 1). It should be noted that there will be an appropriations component for each of the agencies' budgets funding the uses authorized in these bills. Among other provisions, SB 584, which basically sets up the trust fund infrastructure for implementing Amendment 1, would: restructure existing trust funds so documentary stamp tax revenues are no longer commingled with other revenue sources; provide that documentary stamp tax revenues intended for expenditure under the constitutional amendment will only be deposited into the Land Acquisition Trust Fund (LATF) within the Department of Environmental Protection (DEP), who will then distribute such funds to LATFs within each agency authorized to spend documentary tax revenues; clarify that the purpose of the LATF administered by FWC is to implement Amendment 1 and clarify that the revenue stream for FWC's LATF is funds transferred from DEP's LATF; moves other revenue streams currently going into FWC's LATF to other FWC trust funds; provide that if any documentary stamp tax funds are available due to reversions and reductions in budget authority, they must be transferred back to DEP's LATF within 15 days and must be available for future appropriation; delete obsolete trust funds (including the Conservation and Recreation Lands Trust Fund administered by FWC) as they will no longer receive documentary tax revenues; direct agencies to pay outstanding debts or obligations as soon as practicable at which time the Chief Financial Officer will close out and remove the terminated trust fund from the state accounting system; provide that all interest generated in DEP's LATF shall be appropriated to General Revenue; delete a provision in law that would allow unexpended management funds to be used for acquisition purposes; and was amended to include all of the provisions of CS/CS/SB 586. CS/CS/SB 586, which basically revises documentary stamp tax distributions to implement Amendment 1, would: provide for the distribution of 33 percent of documentary stamp tax revenues into DEP's LATF and repeal existing distributions to other environmental trust funds, including the specific percentage dedicated to FWC's land management, lake restoration, and invasive plant programs; provide for existing environmental debt service payments as a first priority for use of Amendment 1 revenues; provide \$1.6 million for payment in lieu of taxes from Amendment 1 revenues; repeal the requirement that a minimum of 20 percent of funds going into the Invasive Plant Control Trust Fund be used to control invasives on public lands. To implement the required 33 percent of documentary stamp tax revenues required in Amendment 1, the

bill reduces the amount of documentary stamp tax revenues for transportation, housing, technical assistance for local governments. HB 1291 generally sets up the trust fund infrastructure and the revised distribution of documentary stamp tax revenues to implement Amendment 1 with many of the same provisions of the two Senate bills with the following modifications: authorizes 20 percent of funds transferred from FWC's LATF into the Invasive Plant Trust Fund to be used to control invasives on public lands; allows proceeds from the sale of surplus conservation lands sold after July 1, 2015, to be deposited into DEP's LATF; modifies rulemaking timeframes for lands acquired with Amendment 1 funds; requires water management districts to reinstate payment in lieu of taxes, if they were suspended beginning in July 2009 under certain conditions. SB 584 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it passed Environmental Preservation & Conservation, and was recommended as a CS by General Government Appropriations; the CS passed Appropriations, had its 2nd and 3rd Readings, and passed the full Senate, April 1; it was then sent to the House, where the House read the bill a 1st time, amended the substance of HB 1291 onto the bill on 2nd Reading, passed the amended bill on 3rd Reading, and sent it back to the Senate for their concurrence, April 2 (this procedure sets the bill up for a Senate/House conference to work out the differences). SB 586 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it passed Environmental Preservation & Conservation as a CS, and was recommended as a CS/CS by General Government Appropriations; the CS/CS passed Appropriations, March 18, and is now on the Calendar, available for its 2nd Reading before the full Senate. HB 1291 was read the 1st time and referred to the Agriculture & Natural Resources Appropriations Subcommittee, and to the Appropriations Committee; it passed Agriculture & Natural Resources Appropriations, and passed Appropriations; it had its 2nd Reading before the full House, April 1, and 3rd Reading, April 2, when the House substituted it for CS/SB 584, and laid HB 1291 on the table; please refer to CS/SB 584. Note – CS/SB 584 is now in posture to be part of the budget conference negotiations.

HB 623 by Rep. Rouson – Weapons or Firearms

This bill would: prohibit the discharge of a firearm on a residential property, regardless of whether the discharge occurs outdoors or in a reckless or negligent manner; provide that this prohibition would not apply to a person lawfully defending life or property or performing official duties requiring the discharge of a firearm, or to a person discharging a firearm on public roads or properties expressly approved for hunting by FWC or the Florida Forest Service. HB 623 was read the 1st time and referred to the subcommittees on Criminal Justice, and Local Government Affairs, and to the committees on Local & Federal Affairs, and Judiciary; it was considered by Criminal Justice, March 24, but did not pass, and was laid on the table; it is now dead/can no longer be considered during this Session.

Update – HB 661 by Rep. Richardson; CS/SB 966 by Sen. Bullard – Disposable Plastic Bags

These bills would allow municipalities with populations of fewer than 100,000 to establish a pilot program to regulate or ban disposable plastic bags (CS/SB 966 would

only permit the pilot programs in coastal communities with populations less than 100,000); require the enactment of an ordinance for the regulations that would take effect beginning January 1, 2016, and would expire June 30, 2018; prohibit any new taxes or fees on the use or distribution of disposable plastic bags in the ordinances; require that the municipalities creating a pilot program, collect data on the impacts of the pilot program, and provide, by April 1, 2018, a report of the data at a public hearing where the public may comment; and require that the report also be submitted to the Dept. of Environmental Protection. HB 661 also provides that a municipality may continue to regulate or ban disposable plastic bags after completion of the pilot program, if the municipality enacts an ordinance after April 1, 2018. HB 661 was read the 1st time and referred to the subcommittees on Agriculture & Natural Resources and Business & Professions, and to the committees on Local Government Affairs and State Affairs. SB 966 was read the 1st time and referred to the committees on Environmental Preservation & Conservation, Community Affairs, and Fiscal Policy; it passed Environmental Preservation & Conservation as a CS, April 8; it is now in Community Affairs.

CS/HB 725 by Rep. Adkins – City of Jacksonville, Duval County

This bill would allow kiteboarding & kitesurfing in a portion of Huguenot Memorial Park in Jacksonville, Duval County, which is located in close proximity to an airport, exempting it from current law that prohibits a person from kiteboarding or kitesurfing within an area that extends 1 mile in a direct line along the centerline of an airport runway and that has a width measuring one-half mile unless otherwise permitted under federal law. HB 725 was read the 1st time and referred to the subcommittees on Local Government Affairs, and Business & Professions, and to the Local & Federal Affairs Committee; it passed Local Government Affairs as a CS, passed Business and Professions, and passed Local & Federal Affairs, March 26; it is now on the Calendar available for its 2nd Reading before the full House.

HB 869 by Rep. Clarke-Reed – Broward County

HB 869 repeals section 2 of Chapter 86-364, Laws of Florida, removing the requirement that Broward County and applicable incorporated areas bear the cost of providing vessel speed zone signs for speed zones adopted by the State within the County. The bill would also delete a provision that clarifies that the County's mandated 30 mile per hour speed zone on the New River Canal and Intercoastal Waterway does not apply to manatee areas (meaning that going forward, it would apply to these areas). HB 869 was read the 1st time and referred to the subcommittees on Local Government Affairs, and Agriculture & Natural Resources, and to the Local & Federal Affairs Committee; it passed Local Government Affairs, and was scheduled in Agriculture & Natural Resources, March 24, but was temporarily postponed.

Update – CS/SB 918 by Sen. Dean; HB 7003 by Rep. Caldwell – Environmental Resources

SB 918 would require the Department of Environmental Protection (DEP) to develop and maintain a public inventory of all state conservation lands that are open for public access; develop an app of such information for mobile devices using the user's locational information or based on a recreational activity of interest; require the electronic inventory of all state conservation lands that are open for public access to be

developed and available to the public in stages with state owned lands being available first on 1/1/2016, followed by federal and local conservation lands being available to the public on 1/1/2018; and require DEP to submit an annual report to the Governor and the Legislature on January 1 of each year that provides the overall percentage of conservation lands that are open for public access in Florida along with a description of its efforts to increase public access to public conservation lands. HB 1291 would require DEP to limit recreation on conservation lands if not consistent with the conservation purpose. SB 918 would require that the Department of Transportation (DOT) set up a non-motorized trail network as a component of the Greenways and Trails System within DEP to be constructed of asphalt or other hard surfaces to allow for bicycles and pedestrians opportunities to connect to communities, conservation areas, state parks, beaches, and other natural or cultural attractions; direct DOT to develop the network by coordinating with DEP, the Greenways and Trails Council, metropolitan planning organizations (these are local and regional transportation planning entities), affected local governments, and state agencies; require the creation of a needs assessment and a prioritization process with specified criteria; and allow for sponsorships along the trail network. both bills address water concerns in Florida, including: springs protection and the establishment of Basin Management Plans (BMAPs) to protect outstanding or priority springs, agriculture's use of best management plans (BMPs) within the BMAPs; and additional requirements/criteria for minimum flows and level (MFLs) regulations. DEP, the water management districts (WMDs), and the Department of Agriculture and Consumer Services are assigned responsibilities to carry out these provisions. HB 7003 requires DEP to work with WMDs to develop a Central Florida Water Initiative to develop water supply plans, consumptive use permits, and resource planning; requires other similar regional provisions for the Northern Everglades, including Lake Okeechobee, the Caloosahatchee Estuary, and the St. Lucie River and Estuary, including the establishment of BMAPs and encouragement of agriculture to utilize BMPs. SB 918 also creates the Florida Water Resources Advisory Council for the purpose of evaluating and prioritizing projects submitted by state agencies, water management districts, and local government; the Council would have 5 voting members including the Ex. Director of FWC, Sec. of DEP, Commissioner of DACS; one scientific expert in water resources appointed by the Senate President, and one scientific expert in water resources appointed by the House Speaker; the executive directors of the 5 water management districts would be non-voting members; the Council shall prepare a recommended a list of water projects for legislative funding consideration, and is given rulemaking authority to implement its charge. SB 918 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it was workshopped/discussed in Environmental Preservation & Conservation, passed Environmental Preservation & Conservation, and was heard in General Government Appropriations, April 8, where the Subcommittee recommended that the Appropriations Committee pass the bill as a CS/CS; it goes next to the Appropriations Committee for their action on the recommendation by General Government Appropriations. HB 7003 was read the 1st time and referred to the Appropriations Committee; it passed Appropriations as a CS; it had its 2nd and 3rd Readings, and passed the full House, March 5; it was sent to the Senate, where it was referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General

Government, and the Appropriations Committee; it was discussed/workshopped, but not voted on, in Environmental Preservation & Conservation, March 18.

Update – HB 957 by Rep. Watson; SB 1236 by Sen. Dean; SB 7072 by the Transportation Committee; HB 7079 by the Highway & Waterway Safety Subcommittee – Paddle Florida Specialty License Plate

These bills create the Paddle Florida 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 Paddle Florida, Inc., may be used as follows: a maximum of 10% for administrative costs and marketing and the remainder to be used by the Florida Forever grant program to support activities that further outdoor recreation and natural resource protection. SB 7072 and HB 7079 also provide that the Department of Highway Safety and Motor Vehicles (DHSMV) must discontinue the issuance of any specialty license plate if the issuance of the plate falls below 4000 for at least 12 consecutive months (SB 7072 would implement this requirement beginning July 1, 2020; HB 7079 would implement it July 1, 2017); and provide that the DHSMV will provide a warning letter to the sponsoring organization following the first month in which the sales of the plate falls below 4000. SB 7072 provides that collegiate license plates are exempt from the new discontinuation provisions above; HB 7079 provides that collegiate, Special Olympics, Florida professional sports teams, U.S. Marine Corps, military services, and autism license plates are not subject to these provisions. HB 957 was read the 1st time and referred to the subcommittees on Highway & Waterway Safety, and Transportation & Economic Development Appropriations, and to the Economic Affairs Committee. SB 1236 was read the 1st time and referred to the Transportation Committee, the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and to the Appropriations Committee. SB 7072 was submitted for consideration by the Senate Transportation Committee; it passed Transportation, March 26, and was filed as a committee bill; it had its 1st Reading and was referred to the Appropriations Subcommittee on Transportation, Tourism, & Economic Development and the Fiscal Policy Committee; it is scheduled in Transportation, Tourism, & Economic Development Appropriations, April 14. HB 7079 was read the 1st time and referred to the Economic Affairs Committee; it passed Economic Affairs as a CS, March 26; it is now on the Calendar, available for its 2nd Reading before the full House.

Update – CS/HB 985 by Rep. Eisnaugle; CS/SB 1284 by Sen. Soto – Agency Final Orders

These bills would require agencies to electronically transmit certified text-searchable agency final orders and declaratory statements issued on or after July 1, 2015, to a centralized electronic database maintained by the Division of Administrative Hearings (DOAH); provide methods by which final orders must be able to be searched within the database; require each agency to maintain a list of all final orders not required to be electronically transmitted to the centralized database; require that all final orders and lists of excluded final orders must be transmitted to the DOAH database within 90 days of issuance; clarify that agencies are not relieved of their responsibility to maintain a subject matter index of final orders rendered before July 1, 2015; and provide that the DOAH database will be the official compilation of administrative final orders entered after July 1, 2015. HB 985 was read the 1st time and referred to the subcommittees on

Rulemaking, Oversight, & Repeal, and Government Operations Appropriations, and to the State Affairs Committee; it passed Rulemaking, Oversight, & Repeal as a CS, passed Government Operations Appropriations, and passed State Affairs, April 2; it is now on the Calendar and available for its 2nd Reading before the full House. SB 1284 was read the 1st time and referred to the Governmental Oversight & Accountability Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it passed Governmental Oversight & Accountability as a CS, and was heard in General Government Appropriations, April 8, where the Subcommittee recommended that the Appropriations Committee pass the bill as a CS; it goes next to the Appropriations Committee for action on the recommendation by General Government Appropriations.

SB 1014 by Sen. Bullard; HB 1051 by Rep. Pritchett – Shootings Involving Law Enforcement Officers

These bills would require each judicial circuit to create an advisory panel that would be convened by the state attorney if a law enforcement officer is involved in a shooting and the officer is not cleared of wrongdoing by an internal investigation or the law enforcement report has inconsistencies that require further investigation; provide for appointment of members of the panel by the chief judge of each circuit; provide that the advisory panel must review the facts of the case, the law enforcement report, and any other relevant information and provide a recommendation (based on a panel vote) to the state attorney whether an indictment should be brought against the officer; provide that the state attorney shall consider the advisory panel's decision in his or her determination of whether to pursue an indictment against the officer; provide that if the advisory panel reaches a unanimous decision that an indictment must be brought against the officer unless the state attorney provides conclusive contradictory evidence; and provide that this law will expire on July 1, 2018. SB 1014 was read the 1st time and referred to the Criminal Justice Committee; the Appropriations Subcommittee on Criminal & Civil Justice, and the Appropriations Committee. HB 1051 was read the 1st time and referred to the subcommittees on Criminal Justice, and Justice Appropriations, and to the Judiciary Committee.

HB 1065 by Rep. Watson; SB 1470 by Sen. Bullard – Law Enforcement Lethal Use of Force Commission

These bills would create a 15-member Law Enforcement Lethal Use of Force Commission and would provide for appointment to the Commission as well as qualifications to serve on the commission; require the head of a law enforcement agency to ensure that, if a law enforcement officer uses force that results in the death of a person, the incident is reported to the commission within 24 hours; require the agency head to notify the commission within 7 days after the completion of an investigation into the use of force and the results of the investigation; provide that state attorneys and other prosecuting entities must notify the commission within 2 days after beginning an inquiry into a law enforcement officer who used force that resulted in the death of a person and must notify the commission within 2 days after a decision not to pursue charges against such an officer; provide that the commission may, at the conclusion of any internal investigation, and upon receiving information from a state attorney or other prosecuting entity that no charges will be pursued, review the incident to determine whether the use of force appears unlawful and whether the matter should be referred to

the Attorney General for consideration of prosecution; make referrals to the Attorney General subject to a majority vote of the members of the commission; provide that the commission may subpoena documents, including confidential documents, and require testimony; allow the Attorney General to bring appropriate criminal charges against a law enforcement officer subsequent to a referral from the commission for a violation of law; and clarify that this new law does not authorize an action inconsistent with the prohibitions against double jeopardy. HB 1065 was read the 1st time and referred to the subcommittees on Criminal Justice, and Justice Appropriations, and to the Judiciary Committee. SB 1470 was read the 1st time and referred to the Criminal Justice Committee, the Appropriations Subcommittee on Civil & Criminal Justice, and the Appropriations Committee.

SB 1120 by Sen. Altman – Illegal Ivory Articles and Rhinoceros Horn

This bill provides that a person may not knowingly and willingly manufacture, sell, purchase, or distribute an ivory article or rhinoceros horn; provides that FWC may issue a license or permit for the sale, purchase, or distribution of ivory articles or rhinoceros horns: unless such activity is prohibited by federal law, the ivory article or rhinoceros horn is part of a bona fide antique, is less than 20 percent by volume of the antique, the owner or seller provides historical documentation that demonstrates provenance of the item and that the item is at least 100 years old; the distribution of the ivory article or rhinoceros horn is for bona fide educational or scientific purposes or for display in a State University System museum or gallery; the distribution of the ivory article or rhinoceros horn is to a legal beneficiary of a trust or to an heir or distributee of an estate; or the ivory article or rhinoceros horn is part of a musical instrument and the owner or seller provides historical documentation that demonstrates origin of the item and that the item was manufactured no later than 1975. The bill also directs FWC to adopt rules to implement the law; requires FWC to post to the agency website, within 30 days after the bill becomes a law, information regarding the prohibition on the manufacture, sale, purchase, and distribution of ivory articles and rhinoceros horns; directs FWC to submit a report to the Legislature by January 1, 2020, outlining enforcement activities related to this law and recommendations for any necessary changes; makes violations of FWC rule or order requiring a license or permit to sell, purchase, or distribute ivory articles or rhinoceros horns a noncriminal infraction, punishable by a \$50 fine plus the amount of the license fee required; provides that a violation of the rules or orders of FWC relating to the manufacture, sale, purchase, or distribution of ivory articles or rhinoceros horns where the value of the ivory articles or rhinoceros horns exceeds \$25,000 is a 3rd degree felony, punishable by up to 5 years in prison and/or a fine of up to \$5,000; provides that a civil penalty of up to \$3,000 or two times the value of the article involved, whichever is greater, may also be assessed; and provides that if a violation is a second or subsequent violation, the civil penalty may not exceed \$6,000 or three times the value of the article involved, whichever is greater. SB 1120 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Fiscal Policy Committee.

Update – HB 1125 by Rep. Tobia; SB 1534 by Sen. Brandes – Disposition of Liens and Forfeited Property

Among other provisions, these bills repeal a provision that allows an agency seizing property after obtaining a judgment granting forfeiture of real or personal property to retain the property for the agency's use; along with specific repeals for other law enforcement agencies, repeal a provision that provides that if FWC is the seizing agency, the proceeds from all seized property shall be deposited into the State Game Trust Fund or the Marine Resources Conservation Trust Fund and requires that all such proceeds be deposited into the Crimes Compensation Trust Fund; and provide for the deposit of all proceeds from all seizing agencies into the General Revenue Fund. HB 1125 was read the 1st time and referred to the Criminal Justice Subcommittee, and the committees on Appropriations, and Judiciary. SB 1534 was read the 1st time and referred to the Criminal Justice Committee; the Appropriations Subcommittee on Criminal & Civil Justice; and the Appropriations Committee; it passed Criminal Justice, March 30, and was heard in Criminal & Civil Justice Appropriations, April 8, where the Subcommittee recommended that the Appropriations Committee pass the bill; it goes next to the Appropriations Committee for action on the recommendation by Criminal & Civil Justice Appropriations.

SB 1510 by Sen. Altman – Regulation of Weapons

Among other provisions, this bill would expand the preemption of the regulation of firearms to the State to include the use of “weapons”; would provide that any entity that violates this provision by enacting, adopting, or causing to be enforced any contrary law would be subject to penalties; increases the damages allowed for violating the law to \$15,000 from \$5,000 for the governmental body and the governmental official(s) under whose jurisdiction the violation occurred; provides specific exceptions for law enforcement entities when enacting and enforcing regulations pertaining to weapons issued to or used by peace officers in the course of their official duties, and for FWC when regulating weapons as a method of taking wildlife and regulating the shooting ranges managed by the Commission; and applies to all pending cases on the effective date of the act (upon becoming law). SB 1510 was read the 1st time and referred to the committees on Criminal Justice, Community Affairs, and Fiscal Policy.

Update – CS/SB 1548 by Sen. Dean; HB 7123 by Highway & Waterway Safety Subcommittee and Rep. Raschein – Vessel Safety

SB 1548 would regulate the anchoring and mooring of vessels outside of public mooring fields by providing that an owner, operator, or person in charge of a vessel may not anchor or moor a vessel within 200 feet of the marked boundary of a permitted mooring field or any public boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general public, or within 200 feet of the shoreline of developed waterfront property between the times of one hour past sunset and one hour before sunrise. The bill provides exceptions to these restrictions, including: vessels requiring safe harbor (which may remain anchored for 7 business days until repaired, or in the event of extreme weather, until weather conditions improve to the point it is no longer perilous to operate the vessel); vessels owned or operated by a governmental entity for law enforcement, firefighting, or rescue purposes; construction or dredging vessels while on an active jobsite; vessels actively engaged in commercial fishing; vessels in transit when the captain and crew are incapable of safely continuing their journey due to

physical exhaustion, provided that anchoring or mooring is limited to 1 overnight period before continuing toward the vessel's destination; vessels engaged in recreational fishing whereby persons onboard are actively tending hook and line fishing gear or nets; and vessels present for the duration of special marine events, as per s. 327.48, F.S. (regattas, boat races, marine parades, tournaments, or exhibitions). The bill provides that an owner, operator, or person in charge of a vessel may not anchor or moor a vessel if any of the following conditions exist (unless the condition is a result of an exigent circumstance): the vessel is taking or has taken on water without effective means to dewater; spaces on the vessel that are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time; the vessel is leaking petroleum products or other harmful contaminants in violation of law; the vessel has broken loose or is in danger of breaking loose from its anchor or mooring; the vessel is involved in one or more violations of marine sanitation laws; or the vessel is listing due to water intrusion, or is sunk, partially sunken, or left aground and is unattended. The bill provides for civil penalties. HB 7123 creates a prohibition of storage on the waters of the State for vessels determined to be at risk of becoming derelict; vessels are considered at risk if they have compartments that are designed to be enclosed but are incapable of being sealed off or remain open to the elements for extended periods of time; the vessel has broken free or is in danger of breaking free from its anchor; the vessel is listing due to water intrusion, or is sunk, partially sunken, or left aground in such a way that would prevent it from getting underway; or the vessel is/has taken on water without a means of dewatering. It designates such a vessel as derelict if a citation has been issued and 90 days has passed without the problems being corrected and the vessel is still on the water. It requires a notice to be provided to the operator or owner stating why the vessel is considered at risk, and provides penalties. SB 1548 was read the 1st time and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Fiscal Policy Committee; it passed Environmental Preservation & Conservation as a CS, and is scheduled in General Government Appropriations, April 14. HB 7123 was read the 1st time and referred to the State Affairs Committee; it is scheduled in State Affairs, April 14.

[Update – CS/HB 7135 by State Affairs and Rep. Caldwell; SB 7086 by Environmental Preservation & Conservation – State Lands](#)

Among other provisions, these bills: add preservation of low impact agriculture to the list of short-term and long-term state land management goals; direct state land managers, as part of every 10-year management plan update, to identify conservation lands that could support low impact agricultural uses while maintaining the land's conservation purpose and to identify conservation lands that could be disposed of in fee simple or with the state retaining a permanent conservation easement; require exchanges involving conservation lands to result in an "equal or greater conservation benefit" rather than a "net positive conservation benefit;" require the Division of State Lands (DSL), at least every 10 years, to review all Board of Trustee-titled conservation lands, along with lands identified in any updated land management plan, to determine if any are no longer needed for conservation purposes and can be disposed of in fee simple or with the State retaining a permanent conservation easement; ; require ARC, when developing proposed rules related to land acquisitions under the Florida Forever Program, to give

weight to projects that allow the State to purchase permanent conservation easements that authorize low-impact agricultural uses while achieving the intended conservation purposes; require ARC to give priority to proposed projects under the Florida Forever Program that can be acquired in less than fee and projects that contribute to improving springs or groundwater; allow a Florida Forever project applicant to appeal to the Board of Trustees a decision by ARC to exclude the applicant's property from the Florida Forever project list; require DEP to add the following to the existing SOLARIS state lands database by July 1, 2017: federally owned conservation lands; lands on which the federal government holds a conservation easement; and all lands on which the state holds a conservation easement; and require DEP to consolidate individually titled parcels of state-owned conservation lands that are contiguous to other parcels of state-owned conservation lands under a single unified title. HB 7135 was read the 1st time and referred to the Appropriations Committee; it passed Appropriations as a CS, April 7; it now available for its 2nd Reading before the full House. SB 7086 was submitted as a proposed committee bill by the Environmental Preservation & Conservation Committee, and the Committee voted favorably for the bill, April 8. The bill was read the 1st time and referred to the Appropriations Subcommittee on General Government and to the Appropriations Committee; it is scheduled in General Government Appropriations, April 14.

Bills of Interest Concerning State Employees

Cindy Hoffman, Director of the Office of Human Resources

HB 33 by Rep. Raschein and others; SB 156 by Sen. Abruzzo – Prohibited Discrimination

These similar bills create the "Florida Competitive Workforce Act" and add sexual orientation, gender identity and the perception of race, color, religion, sex, national origin, age, sexual orientation, gender identify or expression, handicap, or marital status as impermissible grounds for discrimination in employment, public lodging and public food services establishments; provide for an exception for the constitutionally protected free exercise of religion. HB 33 was read the 1st time and referred to the subcommittees on Civil Justice, and Government Operations, and the Judiciary Committee. SB 156 was read the 1st time and referred to the committees on Judiciary, and Governmental Oversight & Accountability, to the Appropriation Subcommittee on General Government, and to the Fiscal Policy Committee.

HB 39 by Rep. Hill and Rep. Beshears; CS/CS/SB 136 by Sen. Hays – Florida Retirement System/Death in the Line of Duty

These similar bills provide for a monthly death benefit payment to the surviving spouse, child or defined others for law enforcement officers and firefighter who are killed in the line of duty on or after July 1, 2015. HB 39 provides for a lifetime payment to be equal to the monthly salary the employee was receiving at the time of death to the spouse of a law enforcement officer or firefighter; it provides that if there is no spouse, or if the spouse dies, for the benefit to be given to the member's child up to age 18, or 25 if in school, and if there is no spouse or children, provides for the parents to receive the

benefit for 5 years. CS/CS/SB 136 includes correctional officers and correctional probation officers as covered positions and provides for the payment to be 50 percent of the monthly salary the employee was receiving at the time of death, and limits the payment to the lesser of the spouse's lifetime or 300 months; and provides for payments to surviving children up to age 21, or 25 if in school, if the spouse dies before receiving 300 payments; makes time-limited payment provisions for a joint annuitant if there is no spouse or children. HB 39 was read the 1st time and referred to the subcommittee on Government Operations, and to the committees on Appropriations, and State Affairs. CS/CS/SB 136 was read the 1st time and referred to the committees on Governmental Oversight & Accountability, Community Affairs, and Appropriations; it passed Governmental Oversight & Accountability as amended, Feb. 3, passed Community Affairs as amended, March 4, and is now in Appropriations.

SB 108 by Sen. Diaz de la Portilla – Florida Retirement System/Revising Eligibility for Purchase of Military Credits

This bill will allow eligible members to purchase their military service for retirement credit under the less costly "wartime" provision instead of the more costly "out-of-state public/federal service" provision. Currently, FRS members who were in the FRS before January 1, 1987, may purchase military retirement credits under "wartime" provisions. This bill allows those with military service on or after January 1, 1987, to also purchase credits under the "wartime" provision. The bill was read the 1st time and referred to the committees on Military & Veterans Affairs & Space, & Domestic Security, Governmental Oversight & Accountability, and Appropriations; it was scheduled in Military & Veterans Affairs & Space, & Domestic Security, Jan, 21, but was not considered.

SB 214 by Sen. Clemens; HB 977 by Rep. Powell – Discrimination in Employment Screening

These bills prohibit employers from inquiring into or considering an applicant's criminal history on an initial employment application unless required to do so by law; and allow employers to inquire and consider an applicant's criminal history after the applicant's qualifications have been screened and the employer has determined the applicant meets the minimum requirements for the position. SB 214 was read the 1st time and referred to the committees on Commerce & Tourism, and Judiciary the Appropriations Subcommittee on General Government, and the Fiscal Policy committee. HB 977 was read the 1st time and referred to the subcommittees on Criminal Justice, and Economic Development & Tourism, and to the Judiciary Committee.

HB 297 by Rep. Campbell; SB 892 by Sen. Bullard – Safe Work Environments

These bill protect employees who have been psychologically, physically or economically harmed due to an abusive work environment; make it an unlawful employment practice to subject an employee to an abusive work environment and make the employer liable for an employee who creates a hostile work environment; and provide legal relief to employees who have been harmed, specifying both the employee(s) inflicting the abuse and the employer are subject to compensate the harmed employee. HB 297 was read the 1st time and referred to the subcommittees on Government Operations, and Civil Justice, and to the committees on Appropriations, and State Affairs. SB 892 was read the 1st time and referred to the committees on Commerce & Tourism, and Judiciary, to

the Appropriations Subcommittee on Criminal & Civil Justice, and to the Appropriations Committee.

Update – CS/SB 320 by Sen. Gaetz; CS/HB 7013 by Rep. Brodeur – Adoption and Foster Care

These similar bills direct the Department of Children and Families (DCF) to establish an adoption incentive program for certain agencies and subcontractors; require DCF to conduct a comprehensive baseline assessment of lead agencies and provider performance; and recreates a program to provide an adoption benefit of \$5,000 or \$10,000, depending on whether the adopted child has special needs, for qualifying employees of state agencies who adopt a child from the child welfare system. The original state employee adoption benefit was created in 2000 and repealed in 2010. SB 320 was read the 1st time and referred to the committee on Children, Families, & Elder Affairs, the Appropriations Subcommittee on Health and Human Services, and the Fiscal Policy Committee; it passed Children, Families & Elder Affairs, passed Health and Human Services Appropriations as a CS, and passed Fiscal Policy; it had its 2nd Reading before the full Senate, April 8, when it was substituted by CS/HB 7013, and was laid on the table; please refer to CS/HB 7013. HB 7013 was read the 1st time and referred to the Health Care Appropriation Subcommittee; it passed Health Care Appropriations as a CS; it had its 2nd Reading before the full House, where it was amended, and passed its 3rd Reading, before the full House; it was received in the Senate, March 17, and referred to the Children, Families, & Elder Affairs Committee, the Subcommittee on Health & Human Services Appropriations, and the Fiscal Policy Committee; on April 8 it was withdrawn from the committees of reference and the Senate substituted it for SB 320 and read it a 2nd time; it is now available for its 3rd Reading and final passage before the full Senate.

HB 333 by Rep. Lee; SB 696 by Sen. Diaz de la Portilla – Reemployment after Retirement

These identical bills repeal current language that provides that a retiree from a Florida Retirement System (FRS) employer is no longer retired if they return to work with an FRS employer in the first six months after separation from employment. Removing the current language will allow for immediate re-employment of FRS retirees. The bill also repeals the language that prohibits an FRS retiree from earning a second retirement benefit when returning to employment with an FRS employment. HB 333 was read the 1st time and was referred to the subcommittee on Government Operations, and to the committees on Appropriations, and State Affairs. SB 696 was read the 1st time and was referred to the committees on Governmental Oversight & Accountability, and Appropriations.

Update – CS/CS/CS/HB 371 by Rep. Raulerson, CS/CS/SB 1304 by Senator Latvala; CS/HB 1283 by Rep. Rader; SB 1412 by Sen. Evers – Agency Inspectors General

Among other provisions, HB 371 and SB 1304 would: modify hiring procedures for agency Inspectors General (IG) to include requiring a national search for a vacancy, as well as qualifications individuals must meet to be hired as agency IG; prohibit a former or current elected official from being appointed to an IG position for 5 years after his/her elected service; create a term limit of 3 years for agency IGs but would not prohibit

renewal by the agency head or Chief Inspector General (whichever is applicable); allow for the removal of the IG at the discretion of the agency head or Chief Inspector General (whichever is applicable); include that an Office of Inspector General may include a division of investigation, a division of audit, or other division as appropriate; broaden the IG's access to agency (both his or her own agency and other agencies, boards, and commissions) records, agency employees, and agency facilities; allow the IG and designated staff to administer oaths and affirmations, compel witness testimony and attendance under oath, and require the production of any record deemed relevant to an audit, investigation, or review. Among other provisions, CS/HB 1283 and SB 1412 provide that if an investigation is not confidential or exempt from disclosure, IGs must, within 10 days of finalizing a report, publish it to the agency's website and provide a copy to the Chief Inspector General for publication on the Governor's website, as well. HB 371 was read the 1st time and referred to the Government Operations Subcommittee, and to the committees on Appropriations and State Affairs; it passed Government Operations as a CS, passed Appropriations as a CS/CS, and passed State Affairs as a CS/CS/CS, April 8; it is now available for its 2nd Reading before the full House. HB 1283 was read the 1st time and referred to the subcommittees on Government Operations, and Local Government Affairs, and to the State Affairs Committee; it passed Governmental Operations, and passed Local Government Affairs as a CS, March 25; it is now in State Affairs. SB 1304 was read the 1st time and referred to the Governmental Oversight & Accountability Committee, the Appropriations Subcommittee on General Government, and the Fiscal Policy Committee; it passed Governmental Oversight & Accountability as a CS, and was recommended by General Government Appropriations as a CS/CS, April 2; it is scheduled in Fiscal Policy, April 15, when the Committee will consider the General Government Appropriations recommendation. SB 1412 was read the 1st time and referred to the committees on Governmental Oversight & Accountability, Community Affairs, and Appropriations.

HB 433 by Rep. Geller; SB 1396 by Sen. Abruzzo – Florida Civil Rights Act of 1992

These identical bills provide unpaid interns the same employment protections afforded paid employees under the Florida Civil Rights Act. HB 433 was read the 1st time and referred to the subcommittees on Civil Justice, and Economic Development & Tourism, and to the Judiciary Committee. SB 1396 was read the 1st time and referred to the committees on Commerce & Tourism, Judiciary, and Appropriations.

Update – SB 694 by Sen. Ring and HB 719 by Rep. Cortes – Florida State Employee's Charitable Campaign

These identical bills: remove the requirement that contributions collected as part of a Florida State Employee Charitable Campaign event be designated to a specific charitable organization(s), while retaining the requirement that employees designate a charitable organization(s) when contributing through the annual pledge form; require the fiscal agent selected by the Department of Management Services to distribute undesignated funds in direct proportion to the percentage of designated funds pledged to the organization. SB 694 was read the 1st time and referred to the Governmental Oversight & Accountability Committee, Appropriations Subcommittee on General Government, and Fiscal Policy Committee; it passed Governmental Oversight & Accountability, passed the Appropriations Subcommittee on General Government, and passed Fiscal Policy; it had its 2nd Reading before the full Senate, and had its 3rd

Reading and passed the full Senate, April 8; it goes next to the House. HB 719 was read the 1st 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, March 26; it is on the Calendar and available for its 2nd Reading before the full House.

Update – CS/HB 1015 by Rep. Latvala; CS/CS/SB 1324 by Sen. Latvala – Public Records/Law Enforcement Personnel, State Attorneys, & Statewide Prosecutors

These similar bills expand the exemptions from public record information for specified employees to include former residences and residences in which the employee frequently resides other than the home address, e-mail addresses, driver license numbers, license plate numbers, banking and financial information, and information identifying former places of employment. The bills also establish exemptions for the parents, siblings and cohabitants of specified employees making exempt their home addresses, telephone numbers, social security numbers, photographs, dates of birth and places of employment. As with all public record exemptions, this exemption will be repealed in 5 years, unless reenacted by the Legislature. HB 1015 was read the 1st time and referred to the subcommittees on Criminal Justice, and Government Operations, and to the Judiciary Committee; it passed Criminal Justice as CS, March 16; it is now in Government Operations. SB 1324 was read the 1st time and referred to the committees on Criminal Justice, Governmental Oversight & Accountability, and Rules; it passed Criminal Justice as a CS, passed Governmental Oversight & Accountability as a CS/CS, April 7, and is scheduled in Rules, April 15.

HB 1229 by Rep. Vasilinda – State Employee Salaries

This bill provides for a 7% pay increase for state employees effective July 1, 2015. HB 1229 was read the 1st time and referred to the Government Operations Subcommittee, and to the committees on Appropriations, and State Affairs.

HB 1249 by Rep. Raulerson and SB 7042 by the Committee on Governmental Oversight and Accountability – Renewed Membership in the Florida Retirement System

These similar bills authorize reestablished renewed membership in the Florida Retirement System for retirees who are reemployed on or after July 1, 2016. A renewed member must go into the investment plan (unless hired by a state university or college), and meet the vesting requirements. The bills also require the employer to pay the full contribution related to the purchase of general military service for members who leave employment for active duty and then return to employment at the end of their active duty service. SB 7042 prohibits Special Risk employees and their employers from purchasing past service for employees rehired from July 1, 2010, through June 30, 2016; and limits the accrual value for special risk rehires who were initially enrolled prior to July 1, 2010, to the Regular Class accrual value of 1.6 instead of special risk accrual value of 3%. HB 1249 was read the 1st time and referred to the committees on State Affairs and Appropriations and to the subcommittee on Government Operations. SB 7042 passed Governmental Oversight & Accountability as a committee bill, March 10; it was read the 1st time and referred to the committees on Community Affairs and Appropriations.

Update – HB 5009 by the Appropriations Committee and Rep. Corcoran; CS/HB 7097 by the Health & Human Services Committee and Rep. Brodeur – State Group Insurance Program

HB 5009 provides employees hired on or after July 1, 2015, will only be eligible for the State's high-deductible health insurance plan, and eliminates the State's contribution to the Health Savings Plan for these employees for Fiscal Year 2015-16; this bill will not be enacted if HB 7097 becomes law. HB 7097, for Fiscal Year 2016-17, would equalize the financial benefit provided to employees by contributing the same amount to the State's Preferred Provider Option (PPO) and more costly Health Maintenance Organizations (HMO) and require employees pay the difference for the more expensive HMO option; provide options for employees whose chosen health coverage is less costly than the State's contribution allowing them to use the savings for one of four options: a flexible spending account, a health savings account, increase their salaries (salary increases would be taxed, but would not be used in Florida Retirement System calculations), or purchase additional benefits offered through the State. It also authorizes the Department of Management Services (DMS) to procure additional benefit choices for employees who wish to purchase additional benefits using their unspent savings; requires DMS to establish a 3-year price transparency pilot program in one to three areas of the State and allows employees who choose a procedure at a lower cost to receive 50% of the difference between the selected provider and the benchmark price and use the savings for one of the four previously described options. For 2018, HB 7097 mandates the State health insurance program to have four benefit levels and allows employees to choose a lower benefit level and use their unspent allocation for one of the four options described above. HB 7097 keeps employee health insurance premiums the same for this calendar year with premium changes beginning in 2016:

STANDARD PLANS:

Employee share for coverage remainder of 2015 does not change for HMO and PPO Plans: HMO and PPO \$180 Family \$50 Single

Employee Share for coverage beginning 1/1/16 for HMO and PPO Plans:

HMO \$200 Family \$60 Single (Other than Capital Health Plan)

HMO \$170 Family \$40 Single (Capital Health Plan)

PPO \$170 Family \$45 Single

SPECIAL PLANS:

High Deductible Plan (except SES/SMS and Spouse plans):

No changes for coverage remainder of 2015: \$64.30 Family \$15 Single

Coverage beginning 1/1/16: \$50 Family \$10 Single

SES/SMS Payall Benefits:

HMO/PPO: No changes for coverage remainder of 2015 and 2016: \$30 Family \$8.34 Single

High Deductible: Remainder of 2015 \$30 Family \$8.34 Single

Coverage for 2016 \$25 Family \$8.34 Single

Spouse Plan:

No changes for coverage remainder of 2015: \$30 (each employee) for HMO, PPO or High Deductible

Coverage beginning 1/1/16: \$30 (each employee) for HMO or PPO \$25 (each employee) for High Deductible

HB 5009 was filed and placed on the House Calendar; it was scheduled for its 2nd Reading before the full House, April 1, but was temporarily postponed. HB 7097 was read the 1st time and referred to the Appropriations Committee; it passed Appropriations as a CS, March 31; it is now on the Calendar and available for its 2nd Reading before the full House.

CS/SB 7022 by the Committee on Governmental Oversight & Accountability – Individuals with Disabilities

This bill modifies the State of Florida's employment policy to provide enhanced employment opportunities for persons with disabilities; requires agencies to annually establish goals and report progress toward increasing employment of individuals with disabilities; requires agencies to have a plan in place by Jan. 1, 2016, that promotes employment opportunities for individuals with a disability; directs the Department of Management Services (DMS) to provide agencies related training and assist agencies in establishing their plan; requires DMS to compile statewide data by agency and posting the information on the DMS website; adds "disability" as a protected class under the state's equal employment opportunity law; requires DMS, in consultation with specified agencies, to develop and implement programs that incorporate internships, mentoring, on-the-job training and other strategies for individuals with disabilities and provides funds; provides 2 FTE positions to implement the requirements of the bill; and establishes the Financial Literacy Program housed in the Department of Financial Services which is created to promote economic independence and successful employment of individual with developmental disabilities. SB 7022 passed Governmental Oversight & Accountability as a committee bill; it was read the 1st time and was referred to the Appropriations Subcommittee on General Government, and the Fiscal Policy Committee; it was recommended by General Government Appropriations as a CS; the CS was adopted by Fiscal Policy; it had its 2nd and 3rd Readings before the full Senate, and had its final passage before the full Senate; April 1; it was sent to the House, April 2.

SB 7026 by Committee on Governmental Oversight and Accountability – State Group Insurance Program

This bill requires the Department of Management Services to ensure that Health Maintenance Organizations providing services under the state employee health insurance program provide reasonable access to certain service to persons younger than 21 years of age. SB 7026 passed Governmental Oversight & Accountability as a committee bill, Feb. 17; it was read the 1st time and was referred to the committees on Banking & Insurance, and Appropriations; it passed Banking & Insurance, March 17, and is now in Appropriations.