

Fish and Wildlife Conservation Commission 2015 Session Report

Legislative Affairs Office
June 19, 2015

With the conclusion of the 2015 Regular Session, FWC is most grateful that the agency legislative package – HB 7021 by Representative Sullivan and Representative Trumbull, and SB 680 by Senator Dean – passed the Legislature. The Governor signed the bill, June 11, 2015, so the bill has become law. The agency is especially appreciative to the bill sponsors and their staffs, Senate and House leadership including all of the committees of reference that passed the legislation, and to all of the stakeholders for their efforts in securing passage of the legislation.

The state budget for Fiscal Year 2015-16 was not finalized during the Regular Session. The Special Session called for June 1-20, 2015, is to develop the budget for the next fiscal year. Please see the status report of FWC's budget by FWC's Chief Financial Officer, Charlotte Jerrett.

*Note: In the following update of some of the bills that FWC monitored this Session, if a bill passed both the House and Senate, and the Governor allowed the bill to become law or if the bill/resolution does not need the Governor's action, the bill number, all sponsors, and subject of the bill will be highlighted in **bold green**. If a bill passed the Legislature and is awaiting action by the Governor or if the bill is in posture to be considered in the budget negotiations during the Special Session, all sponsors and the subject of the bill, will be **bolded in black**. If legislation did not pass the Legislature, or has been vetoed by the Governor, the line will no longer be highlighted in bold.*

Fish and Wildlife Conservation Commission Legislation

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/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; 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; and allow FWC to contract with its Citizen Support Organization (CSO) to provide payment for fiscal and administrative services that are provided by the CSO to benefit FWC. 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; it had its 2nd Reading before the full House, April 8, and had its 3rd Reading and passed the House on April 9; it was received by the Senate in messages, and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee. 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; it had its 2nd Reading before the full House, April 21, when it was amended and rolled over to 3rd Reading; it had its 3rd Reading and passed the full House, April 22, after which it was sent to the Senate. On April 23, CS/HB 7021 was substituted for CS/CS/SB 680, had its 2nd Reading before the full Senate, and had its 3rd Reading and passed the full Senate, April 24; it was sent to the Governor, June 11, and he signed it into law, June 11; see [Chapter 2015-161, Laws of Florida](#). 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, and passed Appropriations as a CS/CS; it had its 2nd Reading before the full Senate, April 23, and was substituted by CS/HB 7021 and laid on the table; please refer to CS/HB 7021.

Other Bills of Interest to FWC

CS/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, passed Appropriations as a CS/CS, and passed Judiciary as a CS/CS/CS; it had both its 2nd and 3rd Reading and passed the full House, April 24;

it was received in the Senate in Messages, April 24, and was referred to the committees on Criminal Justice, and Fiscal Policy; it died in committee. 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; it passed Fiscal Policy was scheduled for its 2nd Reading before the full Senate, April 30, but was not considered and died on the Calendar.

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; it was received by the Senate in messages, and was referred to the committees on Commerce & Tourism, Community Affairs, and Fiscal Policy; on April 23, it was withdrawn from the committees, substituted for CS/SB 414, read a 2nd time before the full Senate, and had its 3rd Reading and passed the full Senate, April 24; it was sent to the Governor, June 1, and he signed the bill into law, June 11; see Chapter [2015-131, Laws of Florida](#). 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, and passed Fiscal Policy; it had its 2nd

Reading before the full Senate April 23, and was substituted by CS/HB 71 and laid on the table; please refer to CS/HB 71.

CS/CS/CS/HB 163 by Rep. Beshears; CS/CS/SB 224 by Sen. Simpson – Public Records/Public Agency Contractors

These bills pertain to public records requirements when a public agency contracts for services. They require contractors to either keep such public records and make them available to the public or send the records to the agency for it to make them available to the public. CS/CS/CS/HB 163 also provides if the contractor does not comply, treble attorney's fees are authorized; allows for attorney's fees to be awarded for violating public records' requests to an agency only if the public records request is made to the custodian of public records, the agency head, or a member of the agency's governing board. CS/CS/SB 224 also provides for the contractor to be liable for attorney fees only if the public records request is made to the contractor's registered agent. 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 passed State Affairs as a CS/CS/CS; it had its 2nd Reading before the full House April 23, and was substituted by CS/CS/SB 224 and laid on the table; please refer to CS/CS/SB 224. 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, had its 3rd Reading and was amended, and passed the full Senate; it was received in the House, and on April 23, it was substituted for CS/CS/CS/HB 163, read a 2nd time, and amended; it had its 3rd Reading and passed the full House as amended, April 24; because it was amended by the House, it was sent back to the Senate in Messages for their concurrence; it died in Messages.

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; it died in 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; it died in committee. SB 7072 was submitted for consideration by the Senate Transportation Committee; it passed Transportation, was read the 1st time and referred to the Appropriations Subcommittee on Transportation, Tourism, & Economic Development, and to the Fiscal Policy Committee; it passed Transportation, Tourism, and Economic Development Appropriations and was recommended as a CS; it passed Fiscal Policy as a CS; on April 29 it had its 2nd Reading before the full Senate, was substituted by CS/HB 7055, and was laid on the table. Note: CS/HB 7055 does not include the Bonefish and Tarpon Trust or the Ducks Unlimited specialty license plates. HB 7079 was read the 1st time and referred to the Economic Affairs Committee; it passed Economic Affairs as a CS, March 26; it was placed on the Calendar and available for its 2nd Reading before the full House; it died on the Calendar.

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 had its 2nd Reading and was amended before the full Senate, and had its 3rd Reading and passed the full Senate, April 22; it was received in the House in Messages, and had both its 2nd and 3rd Readings and passed the full House, April 24; it was sent to the Governor, May 7, and he signed it into law, May 21; see [Chapter 2015-41, Laws of Florida](#).

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; it died in 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; it died in committee.

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; it died in committee. SB 598 was read the 1st time and referred to the committees on Criminal Justice, Transportation, and Appropriations; it died in committee.

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; it died in committee.

CS/CS/CS/HB 435 by Rep. Adkins; CS/SB 718 by Sen. 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; conform proceedings based on invalid or unadopted rules to proceedings used for challenging existing rules; prohibit agencies from rejecting specific conclusions of law; limit situations under which an agency may reject or modify conclusions of law; 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. CS/SB 718 also requires an agency to issue a notice regarding its reliance on a challenged rule or alleged unadopted rule; authorizes the ALJ to make certain findings on the validity of certain alleged unadopted rules; requires the ALJ to issue a separate final order on certain rules and alleged unadopted rules; provides for a stay of proceedings not involving disputed issues of fact upon timely filing of a rule challenge; and provides that the final order terminates the stay. 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, and passed State Affairs as a CS/CS/CS; it had its 2nd Reading and was amended before the full House, and had its 3rd Reading and passed the full House; it was sent to the Senate in Messages, and referred to the Judiciary Committee, Appropriations Subcommittee on General Government, and to the Appropriations Committee; on April 27, the bill was withdrawn from the committees of reference, substituted for CS/SB 718, and read a 2nd time; it had its 3rd Reading and passed the full Senate, April 28; it was sent to the Governor, June 1; the Governor vetoed the bill, June 18. 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, but was not considered; it was rescheduled in General Government Appropriations, where the subcommittee recommended that the Appropriations Committee pass the bill; it passed the Appropriations Committee as a CS, and it had its 2nd Reading before the full Senate, April 27, when it was substituted by CS/CS/CS/HB 435 and laid on the table; please refer to CS/CS/CS/HB 435.

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; it died in committee. SB 846 was read the 1st time and referred to the committees on Environmental Preservation & Conservation, Governmental Oversight & Accountability, and Rules; it died in committee.

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, 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 died in Judiciary. SB 1530 was read the 1st time and referred to the committees on Criminal Justice, Judiciary, and Fiscal Policy; it died in committee.

CS/SB 584 by Sen. Dean; CS/CS/SB 586 by Sen. Dean; HB 1291 by Rep. Boyd – Implementation - SB 2516A by Appropriations

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; the Senate refused to concur (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. SB 2516A is the substance of CS/SB 584, and is a conforming bill to the budget, so it is part of the budget negotiations during the Special Session; it had its 1st, 2nd, and 3rd Readings in the Senate, June 1, and was sent to the House in Messages; the House received it, June 3, amended it on its 2nd Reading and passed it as amended during its 3rd Reading, June 4; in refusing to pass the bill approved by the Senate, it is now part of the budget conference discussions of the Special Session.

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.

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; it died in committee. 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 died in committee.

Update – 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; it had both its 2nd and 3rd Reading and passed the full House; it was sent to the Senate in Messages, and referred to the Rules Committee; it was withdrawn from Rules, and had both its 2nd and 3rd Readings and passed the full Senate, April 29; it was sent to the Governor, May 26; the Governor signed it into law, June 10; please see [Chapter 2015-186, Laws of Florida](#).

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; it died in committee.

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

These bills 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. They 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. They 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. They require DEP to work with the WMDs to develop a Central Florida Water Initiative to develop water supply plans, consumptive use permits, and resource planning; require 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; create 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 Council would also be required to annually provide a list of water projects it recommends for legislative funding consideration. SB 918 provides that the executive directors of the 5 water management districts would be non-voting members of the Florida Water Resources Advisory Council; HB 7003 requires that they be represented at and participate in the meetings of the Advisory Council, but are not members. 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, where the Subcommittee recommended that the Appropriations Committee pass the bill as a CS/CS; it passed the Appropriations Committee as a CS/CS, and had its 2nd Reading before the full Senate, April 29, when it was substituted by CS/HB 7003 and laid on the table; please refer to CS/HB 7003. 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; 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; on April 29 it was withdrawn from all committees of reference and had its 2nd Reading and was amended, and had its 3rd

Reading and passed the full Senate, as amended; because it was amended by the Senate, it must now go back to the House; it died in Messages.

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; it died in 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; it died in committee. SB 7072 was submitted for consideration by the Senate Transportation Committee; it passed Transportation, 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 passed Transportation, Tourism, & Economic Development Appropriations and was recommended as a CS; it passed Fiscal Policy as a CS; on April 29 it had its 2nd Reading before the full Senate, was substituted by CS/HB 7055, and was laid on the table. Note: CS/HB 7055 does not include the Paddle Florida specialty license plate. HB 7079 was read the 1st time and referred to the Economic Affairs Committee; it passed Economic Affairs as a CS, March 26; it was placed on the Calendar, available for its 2nd Reading before the full House; it died on the Calendar.

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; it had its 2nd and 3rd Readings before the full House; it was received in Messages by the Senate and referred to the Governmental Oversight & Accountability Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; on April 28 it was withdrawn from its committees of reference, read a 2nd time before the full Senate and substituted for CS/SB 1284; it had its 3rd Reading and passed the full Senate, April 29; it was sent to the Governor, June 1, and he signed it into law, June 11; see [Chapter 2015-155, Laws of Florida](#). 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, where the Subcommittee recommended that the Appropriations Committee pass the bill as a CS; it passed the Appropriations Committee as a CS; it had its 2nd Reading before the full Senate, April 28, when it was substituted by CS/HB 985 and laid on the table; please refer to CS/HB 985.

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; it died in committee. HB 1051 was read the 1st time and referred to the subcommittees on Criminal Justice, and Justice Appropriations, and to the Judiciary Committee; it died in 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; it died in 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; it died in 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; it died in committee.

HB 1125 by Rep. Tobia; CS/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, HB 1125 also repeals 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 provides for the deposit of all proceeds from all seizing agencies into the General Revenue Fund. CS/SB 1534: requires training for all personnel in a law enforcement agency who are authorized to seize property for forfeiture; prohibits law enforcement agencies from having a quota for seizures; requires law enforcement agencies with forfeited property/assets to donate at least 50% for certain programs with all remaining proceeds being deposited into the Crimes Compensation Trust Fund; requires a forfeiture report to be submitted every 3 months to FDLE; and requires the law enforcement agency that has seized property for forfeiture to generate an annual report on forfeited property. HB 1125 was read the 1st time and referred to the Criminal Justice Subcommittee, and the committees on Appropriations, and Judiciary; it died in committee. 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, was heard in Criminal & Civil Justice Appropriations where the Subcommittee recommended that the Appropriations Committee pass the bill; it passed the Appropriations Committee as a CS, and was placed on the Calendar available for its 2nd Reading before the full Senate; it died on the Calendar.

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; it died in committee.

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

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 actively engaged in recreational fishing; 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 a safe harbor is needed): 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 authorizes the pilot communities to continue to regulate anchoring/mooring, and 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; provides penalties; and provides an exemption for vessels that are moored to a private dock or wet slip with the consent of the owner for the purpose of receiving repairs. 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 passed General Government Appropriations where the Subcommittee recommended the bill as a CS; it was in Fiscal Policy, where the Committee could have considered the recommendation by General Government Appropriations; it died in committee. HB 7123 was read the 1st time and referred to the State Affairs Committee; it passed State Affairs as a CS; it had its 2nd Reading before the full House, and had its 3rd Reading and passed the full House; it was received in Messages by the Senate, and referred to the Environmental Preservation & Conservation Committee, the

Appropriations Subcommittee on General Government, and the Fiscal Policy Committee; it died in committee.

CS/HB 7055 by Economic Affairs Committee, Highway & Waterway Safety Subcommittee, and Rep. Steube – Highway Safety and Motor Vehicles

Among other provisions, HB 7055: eliminates requirements that organizations seeking to establish new specialty license plates for which an annual use fee will be charged must submit a request, an application fee, and a marketing plan to the Department of Highway Safety and Motor Vehicles; repeals the Corrections Foundation, Children First, and Veterans of Foreign Wars specialty license plates; and provides that the employing agency of a law enforcement officer killed in the line of duty may pay up to \$5000 directly toward the venue expenses associated with the officer's funeral and burial services. HB 7055 was read the 1st time and referred to the Transportation & Economic Development Appropriations Subcommittee and the Economic Affairs Committee; it passed Transportation & Economic Development Appropriations and passed Economic Affairs as a CS; it had its 2nd Reading and was amended by the full House, and had its 3rd Reading and passed the full House; on April 29, it was read a 2nd time by the full Senate and substituted for CS/SB 7072; it had its 3rd Reading that same day and passed the full Senate; it was sent to the Governor, June 1, and he signed it into law, June 11; see [Chapter 2015-163, Laws of Florida](#).

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, had its 2nd Reading and was amended before the full House, and had its 3rd Reading and passed the full House; it was received by the Senate in Messages April 21, and referred to the Environmental Preservation & Conservation Committee, the Appropriations Subcommittee on General Government, and the Appropriations Committee; it died in committee. SB 7086 was submitted as a proposed committee bill by the Environmental Preservation & Conservation Committee, and the Committee voted favorably for the bill; it was read the 1st time and referred to the Appropriations Subcommittee on General Government and to the Appropriations Committee; it passed General Government Appropriations and was recommended as a CS, April 14; it was in Appropriations, where the Committee could have considered the recommendation of General Government Appropriations; it died in committee.

HR 9109 by Rep. Raschein – Lionfish Removal and Awareness Day

This resolution would designate May 16, 2015, as “Lionfish Removal and Awareness Day” in Florida. It was filed and adopted by the full House, April 21.

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; it died in 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; it died in committee.

HB 39 by Rep. Hill and Rep. Beshears; CS/CS/SB 136 by Sen. Hays; SB 7082 by Governmental Oversight & Accountability – 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 and SB 7082: provide 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; provide 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; in addition, HB 39, 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 probations 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, passed Community Affairs as amended, March 4, and is now in Appropriations. SB 7082 was submitted for consideration by the Governmental Oversight & Accountability Committee, and passed Governmental Oversight & Accountability; it was read the 1st time, and referred to the Appropriations Committee; it passed Appropriations as a CS; had its 2nd Reading before the full Senate, April 27, and its 3rd Reading and final passage by the full Senate, April 28; it died in Messages.

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; it was withdrawn from further consideration, April 22.

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; it died in 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; it died in 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; it died in committee. 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; it died in committee.

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, and referred to the Children, Families, & Elder Affairs Committee, the Subcommittee on Health & Human Services Appropriations, and the Fiscal Policy Committee; it was withdrawn from the committees of reference and the Senate substituted it for CS/SB 320 and read it a 2nd time; it had its 3rd Reading and passed the full Senate, April 14; it was sent to the Governor and he signed it into law, June 11; see [Chapter 2015-130, Laws of Florida](#).

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; it died in committee. SB 696 was read the 1st time and was referred to the committees on Governmental Oversight & Accountability, and Appropriations; it was withdrawn from further consideration, April 22.

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; it had its 2nd Reading before the full House, and had its 3rd Reading and passed the full House; it was sent to the Senate in Messages, April 21, and was referred to the Governmental Oversight & Accountability Committee, the Appropriations Subcommittee on General Government, and the Fiscal Policy Committee; April 23, it was withdrawn from all committees of reference, had its 2nd Reading before the full Senate and was substituted for CS/CS/SB 1304; it had its 3rd Reading and passed the full Senate, April 24, and was sent to the Governor, June 1; the Governor signed it into law, June 17; see [Chapter 2015-173, Laws of Florida](#). 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; it died in committee. 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; it passed Fiscal Policy as a CS/CS; it had its 2nd Reading before the full Senate, April 23, when it was substituted by CS/CS/CS/HB 371, and laid on the table; please refer to CS/CS/CS/HB 371. SB 1412 was read the 1st time and referred to the committees on Governmental Oversight & Accountability, Community Affairs, and Appropriations; it died in committee.

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; it died in committee. SB 1396 was read the 1st time and

referred to the committees on Commerce & Tourism, Judiciary, and Appropriations; it died in committee.

SB 694 by Sen. Ring; 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; it was received in the House and referred to the Calendar; it had its 2nd Reading before the full House, when it was substituted for HB 719; it had its 3rd Reading and passed the full House, April 22; it was sent to the Governor, May 7; he signed it into law, May 21; see [Chapter 2015-61, Laws of Florida](#). 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; it had its 2nd Reading before the full House, April 21, when it was substituted by SB 694 and laid on the table; please refer to SB 694.

HB 625 by Rep. Cortes; SB 982 by Sen. Thompson - Florida Civil Rights/ Prohibiting Discrimination on the Basis of Pregnancy

These identical bills: add pregnancy as impermissible grounds for discrimination in employment and other areas such as public lodging and food service establishments; and provide that the “condition of pregnancy” may be taken into account when there is a bona fide occupational qualification reasonably necessary for the performance of the particular employment. HB 625 was referred to the Civil Justice Subcommittee and to the committees on Judiciary, and State Affairs; it passed Civil Justice, Judiciary, and State Affairs, had its 2nd Reading April 23, was substituted by SB 982, and was laid on the table; please refer to SB 982. SB 982 was referred to the committees on Commerce & Tourism, Judiciary, and Rules; it passed Commerce & Tourism, Judiciary, and Rules; it had its 2nd Reading, and had its 3rd Reading and passed the full Senate; it was received in the House in Messages, and was scheduled for its 2nd Reading, April 23, when it was substituted for HB 625; it passed its 3rd Reading in the House, April 24, and was sent to the Governor, May 7; he signed it into law, May 21; see [Chapter 2015-68, Laws of Florida](#).

CS/HB 1015 by Rep. Latvala; CS/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 e-mail addresses, license plate numbers, and banking and

financial information. 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; it died in committee. 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, and passed Rules as a CS/CS/CS; it was placed on the Calendar, April 20, available for its 2nd Reading before the full Senate; it died on the Calendar.

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; it died in committee.

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; it died in committee. 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; it died in committee.

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; it died on the Calendar. HB 7097 was read the 1st time and referred to the Appropriations Committee; it passed Appropriations as a CS, March 31; it was placed on the Calendar and available for its 2nd Reading before the full House; it died on the Calendar.

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; it died in Messages.

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 was in Appropriations; it died in committee.