



2015 LEGISLATIVE REPORT

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- Current action
- CS** Committee Substitute
P Passed both Chambers
W Withdrawn from further consideration
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For Period Ending April 24

CONTRACTORS

CS/HB 163 Public Records/Public Agency Contracts: Amends s. 119.07, F.S., to (1) require all agency heads to designate a “custodian of public records” and to display the custodian’s contact information on the agency’s website if the agency has a website, and (2) stipulate that a requestor will not be eligible for attorney fees unless the request for public records was made directly to the custodian of the public records, a member of the agency’s governing body, or the head of the agency. Also amends s. 119.0701, requiring the (1) inclusion of a statement in all contracts for services instructing contractors with questions regarding application of the public records law to contact the agency’s custodian of public records; (2) contractor to keep and maintain public records related to the contract or transfer those records to the contracting agency upon completion of the contract; (3) stipulating that a contractor retaining the public records must comply with the requirements of the public records law; and (4) stipulating that a contractor will be subject to attorney fees for a violation of the public records law only if a public record request was made to the contractor’s registered agent or to any employee or agent who acts in a management or supervisory capacity. Amends ss. 119.07 and 119.0701, F.S. Companion to SB 224. *Rep. Halsey Beshears (R-Perry)*

- House: Tabled; CS/SB 224 substituted. See CS/SB 224.

CS/SB 224 Public Records/Public Agency Contracts: Requires the inclusion of a statement in all contracts for services instructing contractors with questions regarding application of the public records law to the contract and the contractor’s responsibilities under the law to contact the agency’s custodian of public records. Requires that all requests for records related to the contract be made to the contracting agency; if the agency does not possess the requested records, the agency must immediately notify the contractor of the request, who must then produce the requested records within a reasonable period of time. Stipulates that if a court determines there was a violation of the public records law, the court must award attorney fees and court costs against the agency or contractor *if* the requestor provided written notice to the agency’s custodian of public records by certified mail of the request and failure to comply at least five business days before filing the action. Finally, stipulates that such notice may be provided to the contractor if the contractor is a named party in the lawsuit. Amends s. 119.0701, F.S. Companion to HB 163. *Sen. Wilton Simpson (R-New Port Richey)*

- House: Substituted for CS/HB 163 and a strike-all amendment is adopted on second reading. As amended, CS/SB 224 requires the inclusion of a statement in all contracts for services instructing contractors with questions regarding application of the public records law to the contract and the contractor's responsibilities under the law to contact the agency's custodian of public records. Stipulates that a contractor will be liable for attorney fees for violations of the public records law only if a request to inspect or copy the contractor's public records is made to the contractor's registered agent. The bill, as amended on the floor, is passed unanimously by the House. Now in Senate Returning Messages.

COURT RECORDS

CS/SB 360 Exemption/Minor Claim Settlements: Creates an exemption for court records relating to the settlement of a claim relating to guardianship on behalf of a minor or ward. Allows access to such records by a guardian ad litem, the minor if over 14, and the minor's attorney. Amends s. 744.3701, F.S. Similar to HB 7. *Sen. Kelli Stargel (R-Lakeland)*

- S. Rules Committee: Reported favorably. Now on the Senate Calendar.

CRIMINAL JUSTICE

CS/HB 57 Law Enforcement Body Cameras: Defines the terms "body camera" and "law enforcement agency," requiring that a law enforcement agency that allows its officers to wear body cameras establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by the cameras. Stipulates that such policies and procedures include limitations on which officers are permitted to wear body cameras and when such cameras should be used. Finally, requires that audio and video data recorded by body cameras be retained in accordance with s. 119.021, F.S. Creates s. 943.1718, F.S. Companion to SB 7080. *Rep. Shervin Jones (D-Broward)* WATCH

- House: Passed the House unanimously. Now in Senate messages.

P-CS/SB 248 Body Cameras/Recording of Law Enforcement Activities: Creates a public record exemption for body camera recordings taken (1) within the interior of a private residence; (2) at a health care, mental health care, or social services facility; and (3) in a place where a person recorded or depicted in the recording has a reasonable expectation of privacy. Allows disclosure of the recording in furtherance of the law enforcement agency's official duties and responsibilities; to other governmental entities in furtherance of official duties and responsibilities; and pursuant to a court order under certain specified conditions. Allows disclosure of certain portions of the recording to anyone recorded or to his/her personal representative. Finally, requires that body camera recordings be retained for a minimum of 90 days. Applies retroactively. Creates s. 119.071(2)(1), F.S. *Sen. Chris Smith (D-Fort Lauderdale)* ☹

- Senate: Passed the Senate by a vote of 36/2, with Sens. Bullard and Hukill voting no.
- House: Passed the House by a vote of 112/2, with Reps. Pafford and J. Rodriguez voting no.

PASSED THE LEGISLATURE

P-HB 467 Exemption/Human Trafficking Victims: Expands the public record exemption for criminal intelligence and criminal investigative information to include any information revealing the identity of human trafficking victims under the age of 18. Amends s. 119.071(2)(h), F.S. Companion to SB 1108. *Rep. Ross Spano (R-Riverview)*

- Senate: Substituted for SB 1108; passed unanimously by the Senate. **PASSED THE LEGISLATURE.**

P-HB 469 Exemption/Safe Houses – Sexual Exploitation Victims: Creates a public record exemption about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation. Also creates an exemption for information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity. Stipulates that the exemption does not apply to facilities licensed by the Agency for Health Care Administration (AHCA). Creates s. 407.1678(6) and s. 787.06, F.S. Companion to SB 1110. *Rep. Ross Spano (R-Riverview)*

- Senate: Substituted for SB 1110 and passed by the Senate unanimously. **PASSED THE LEGISLATURE**

SB 1108 Exemption/Human Trafficking Victims: Expands the public record exemption for criminal intelligence and criminal investigative information to include any information revealing the identity of human trafficking victims under the age of 18. Amends s. 119.071(2)(h), F.S. Companion to HB 467. *Sen. Anitere Flores (R-Miami)*

- S. Appropriations Committee: Reported favorably.
- Senate: Tabled; HB 467 substituted. See HB 467.

SB 1110 Exemption/Safe Houses – Sexual Exploitation Victims: Creates a public record exemption about the location of a safe house, safe foster home, or other residential facility serving victims of sexual exploitation. Also creates an exemption for information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity. Creates s. 407.1678(6) and s. 787.06, F.S. Companion to HB 469. *Sen. Anitere Flores (R-Miami)*

- S. Appropriations Committee: Reported favorably.
- Senate: Tabled; HB 469 substituted. See HB 469.

SPB 7080 Law Enforcement Body Cameras: Defines the terms “body camera” and “law enforcement agency,” requiring that a law enforcement agency that allows its officers to wear body cameras establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by the cameras. Stipulates that such policies and procedures include limitations on which officers are permitted to wear body cameras and when such cameras should be used. Finally, requires that audio and video data recorded by body cameras be retained in accordance with s. 119.021, F.S. Creates s. 943.1718, F.S. Companion to HB 57. *S. Criminal Justice*

- S. Fiscal Policy Committee: Reported favorably. Now on the Senate Calendar.

ECONOMIC DEVELOPMENT

CS/SB 826 Exemption/Unsolicited Proposals: In pertinent part, SB 824 creates the Division of Public-Private Partnerships with the Department of Economic Opportunity, requiring the Division to develop guidelines and best practices for the creation and management of public-private partnerships, and assist “responsible public” entities in the creation and management of such partnerships by a “responsible public entity.” SB 826 creates a public record exemption for unsolicited proposals held by “a responsible public entity,” stipulating that the proposals will be exempt from public disclosure until the public entity receives and ranks the proposals. If all proposals received for the project are rejected, the unsolicited proposal will remain exempt for 90 days after the date of rejection; if the responsible public entity doesn’t issue a competitive solicitation for a qualifying project, the unsolicited proposal is exempt for 180 days following receipt by public entity. Also creates an exemption for those portions of board meetings at which

unsolicited proposals are discussed, requiring that all closed portions be recorded, and stipulating a date certain when such recordings are subject to disclosure. Creates s. 287.05712, F.S. *Sen. Greg Evers (R-Pensacola)*

- S. Fiscal Policy Committee: Reported favorably by a vote of 9/1. Now on the Senate Calendar.

EVIDENCE

P-HB 7001 Intercepting and Recording Oral Communications: Allows a person to intercept and record an oral communication if the person is a party to the communication and has reasonable grounds to believe the recording will capture a statement by another party that the other party intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against a person. Companion to SB 542. *H. Criminal Justice Subcommittee*

- Senate: A strike-all amendment is adopted on second reading; the bill, as amended, passed the Senate unanimously. As amended on the Senate floor, HB 7001 allows a child under the age of 18 to intercept and record an oral communication if the child is a party to the communication and has reasonable grounds to believe the communication will capture statements by another party that the other party intends to commit, is committing, or has committed an unlawful sexual act of physical force or violence against the child.
- House: Concurs in Senate amendment; HB 7001, as amended, passed the House unanimously.

PASSED THE LEGISLATURE

EXAMINATIONS AND INVESTIGATIONS

CS/HB 997 Exemption/Investigations – Department of Agriculture and Consumer Services: Creates a public record exemption for information held by the Department as part of a joint or multiagency examination or investigation with another state or federal agency. Also exempts criminal or civil intelligence, investigative information, or any other information held by the Department which is received from other state or federal regulatory, administrative, or criminal justice agencies. Creates s. 570.077, F.S. Companion to SB 1446. *Rep. Jay Trumbull (R-Panama City)*

- House: Rolled to third reading and passed unanimously by the House. Now in Senate Messages.

CS/SB 1536 Exemption/Florida RICO Act Investigations: Creates a public record exemption for information relating to a RICO Act violation until such time as all investigations relating to such information are completed. Amends s. 895.06, F.S. Companion to HB 7061. *Sen. Anitere Flores (R-Miami)*

- S. Appropriations Committee: Reported favorably.
- Senate: Tabled; HB 7061 substituted. See HB 7061.

P-SB 7010 OGSR/Examination Techniques – Office of Financial Regulation: Reenacts, with minor modifications, s. 517.2016, F.S., providing a public record exemption for information that would reveal examination techniques or procedures used by the Office of Financial Regulation. Reenacts s. 517.2016, F.S. Companion to HB 7053. *S. Banking and Insurance*

- House: Substituted for HB 7053. Passed the House unanimously. **PASSED THE LEGISLATURE**

P-SB 7032 Exemption/Identifying Information – Deceased Children: Creates a public record exemption for information identifying the surviving siblings of a child whose death occurred as a result of a verified report of abuse or neglect held by the State Child Abuse Death Review Committee. Also exempts

information held by the Committee that reveals the identity of a deceased child whose death was reported to the central abuse hotline but determined not to be the result of abuse or neglect. Allows disclosure of the protected information under certain circumstances. Amends s. 383.412, F.S. Companion to HB 7129.

S. Health Policy

- House: Substituted for HB 7129 and passed unanimously by the House. **PASSED THE LEGISLATURE**

HB 7053 OGSR/Examination Techniques – Office of Financial Regulation: Reenacts, with minor modifications, s. 517.2016, F.S., providing a public record exemption for information that would reveal examination techniques or procedures used by the Office of Financial Regulation. Reenacts s. 517.2016, F.S. Companion to SB 7010. *H. Government Operations*

- House: Tabled; SB 7010 substituted. See SB 7010.

HB 7061 Exemption/Florida RICO Act Investigations: Creates a public record exemption for information relating to a RICO Act violation until such time as all investigations relating to such information are completed. Amends s. 895.06, F.S. Companion to SB 1536. *H. Civil Justice*

- Senate: Substituted for CS/SB 1536 and rolled to third reading for final passage.

HB 7129 OGSR/Child Abuse Death Review Committee: Reenacts s. 383.412, F.S., providing an exemption for information held by a State Child Abuse Death Review Committee, expanding the exemption to include information identifying the surviving siblings of a child whose death occurred as a result of a verified report of abuse or neglect held by the State Child Abuse Death Review Committee. Also exempts information held by the Committee that reveals the identity of a deceased child whose death was reported to the central abuse hotline but determined not to be the result of abuse or neglect. Amends s. 383.412, F.S. Companion to SB 7032. *H. Government Operations Subcommittee*

- House: Tabled; SB 7032 substituted. See SB 7032.

MOTOR VEHICLE RECORDS

CS/SB 7040 Exemption/Email Addresses – Department of Highway Safety and Motor Vehicles: Creates a public record exemption for email addresses collected by the Department of Highway Safety and Motor Vehicles. Amends s. 119.0712. Companion to HB 7041. *S. Transportation* ☹

- Senate: Passed the Senate by a vote of 38/1, with Sen. Joyner voting no. Now in House Messages.

PERSONAL INFORMATION

CS/HB 151 Disclosure of Sexually Explicit Images: Creates the crime of sexual cyber-harassment, defined as the Internet publication of sexually explicit images of a person that identifies the person in the image without that person's consent and with the intent to cause substantial emotional distress to the person. Stipulates that a person who willfully and maliciously sexually cyber-harasses someone is guilty of a first-degree misdemeanor. Creates s. 784.049, F.S. Companion to SB 538. *Rep. Tom Goodson (R-Titusville)*
WATCH

- House: Tabled; CS/SB 538 substituted. See CS/SB 538.

CS/HB 179 Exemption/Email Addresses – Tax Collectors: Creates a public record exemption for a taxpayer's email address held by a tax collector for the purposes of sending tax notices or obtaining the

taxpayer's consent to send tax notices. Creates s. 197.3225, F.S. Companion to SB 200. *Rep. Dane Eagle (R-Cape Coral)* ☹

- House: Tabled; CS/SB 200 substituted. See CS/SB 200.

P-CS/HB 185 Exemption/Home Addresses – U.S. Military Personnel: Creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former service members of the U.S. Armed Forces, a reserve component of the Armed Forces, or the National Guard who served after September 11, 2001. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Requires such personnel to request confidentiality in writing and take reasonable steps to protect such information from being accessible through other means available to the public. Creates s. 119.071(5)(k), F.S. Companion to SB 674. *Rep. Matt Gaetz (R-Shalimar)* ☹

- Senate: Substituted for CS/SB 674 and passed unanimously by the Senate. **PASSED THE LEGISLATURE**

P-CS/SB 200 Exemption/Email Addresses – Tax Collectors: Creates a public record exemption for a taxpayer's email address held by a tax collector for the purposes of sending tax notices or obtaining the taxpayer's consent to send tax notices. Creates s. 197.3225, F.S. Companion to HB 179. *Sen. Jack Latvala (R-Clearwater)* ☹

- House: Substituted for CS/HB 179. Passed the House unanimously. **PASSED THE LEGISLATURE**

CS/SB 538 Disclosure of Sexually Explicit Images: Prohibits the intentional and knowing disclosure of sexually explicit images of an identifiable person to a social networking service or website with the intent to harass the subject of the photo. Creates s. 847.0136, F.S. Companion to HB 151. *Sen. David Simmons (R-Altamonte Springs)* WATCH

- Senate: Passed the Senate unanimously.
- House: A strike-all amendment conforming the bill to its House companion is adopted. As amended, CS/SB 538 creates the crime of sexual cyber-harassment, defined as the Internet publication of sexually explicit images of a person that identifies the person in the image without that person's consent and with the intent to cause substantial emotional distress to the person. Stipulates that a person who willfully and maliciously sexually cyber-harasses someone is guilty of a first-degree misdemeanor. CS/SB 538, as amended on the House floor, passed by a vote of 114/2, with Reps. Gaetz and Tobia voting no. Now in Senate Returning Messages.

P-CS/SB 646 Exemption/Florida ABLE Program: SB 642 creates the Florida Achieving a Better Life Experience (ABLE) Act, requiring the Florida Prepaid College Board to establish a direct support organization known as Florida ABLE, Inc., to assist the disabled in saving money without losing their eligibility for state and federal benefits. CS/SB 646 creates a public record exemption for personal financial and health information of participants in the program held by the Florida Prepaid College Board, Florida ABLE Inc., or the Florida ABLE program. Creates s. 1009.987, F.S. Companion to HB 939. *Sen. Lizbeth Benacquisto (R-Fort Myers)*

- House: Substituted for CS/HB 939 and passed unanimously. **PASSED THE LEGISLATURE**

CS/SB 674 Exemption/Home Addresses – U.S. Military Personnel: Creates a public record exemption for the home addresses, telephone numbers, and photographs of current or former service members of the

U.S. Armed Forces, a reserve component of the Armed Forces, or the National Guard who served after September 11, 2001. Also exempts the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such service members, and the names and locations of schools and day care facilities attended by their children. Requires such personnel to request confidentiality in writing and take reasonable steps to protect such information from being accessible through other means available to the public. Creates s. 119.071(5)(k), F.S. Companion to HB 185. *Sen. Greg Evers (R-Pensacola)*



- Senate: Tabled; CS/HB 185 substituted. See CS/HB 185.

CS/HB 939 Exemption/Florida ABLÉ Program: HB 935 creates the Florida Achieving a Better Life Experience (ABLE) Act, requiring the Florida Prepaid College Board to establish a direct support organization known as Florida ABLÉ, Inc., to assist the disabled in saving money without losing their eligibility for state and federal benefits. CS/HB 939 creates a public record exemption for personal financial and health information of participants in the program held by the Florida Prepaid College Board, Florida ABLÉ Inc., or the Florida ABLÉ program. Creates s. 1009.987, F.S. Companion to SB 646. *Rep. Ray Wesley Rodrigues (R-Fort Myers)*

- House: Tabled; CS/SB 646 substituted. See CS/SB 646.

P-SB 7016 OGSR/Identifying Information – Minors: Reenacts without modification s. 390.0116(2), F.S., providing an exemption for information that would identify a minor petitioning a circuit court for a judicial waiver under the Parental Notice of Abortion Act. Reenacts s. 390.0116(2), F.S. Companion to HB 7049. *S. Judiciary*

- House: Substituted for HB 7049 and passed unanimously by the House. **PASSED THE LEGISLATURE**

P-CS/SB 7034 OGSR/Identifying Information – Stalking Victims: Transfers, renumbers, and reenacts, without modification, a public record exemption for the names, addresses, and telephone numbers contained in the voter registration records of persons who are victims of stalking or aggravated stalking if the victim complies with procedures for registering with the Office of the Attorney General under ss. 741.401 – 741.409, F.S. Creates s. 741.4651, F.S. Companion to HB 7101. *S. Ethics and Elections*

- House: Substituted for HB 7101. Passed the House unanimously. **PASSED THE LEGISLATURE**

HB 7049 OGSR/Identifying Information – Minors: Reenacts without modification s. 390.0116(2), F.S., providing an exemption for information that would identify a minor petitioning a circuit court for a judicial waiver under the Parental Notice of Abortion Act. Reenacts s. 390.0116(2), F.S. Companion to SB 7016. *H. Government Operations*

- House: Tabled; SB 7016 substituted. See SB 7016.

HB 7101 OGSR/Identifying Information – Stalking Victims: Transfers, renumbers, and reenacts, without modification, a public record exemption for the names, addresses, and telephone numbers contained in the voter registration records of persons who are victims of stalking or aggravated stalking if the victim complies with procedures for registering with the Office of the Attorney General under ss. 741.401 – 741.409, F.S. Creates s. 741.4651, F.S. Companion to SB 7034. *H. Government Operations Subcommittee*

- House: Tabled; CS/SB 7034 substituted. See CS/SB 7034.

PRIVACY

CS/SB 766 Drone Surveillance: Creates the Freedom from Unwarranted Surveillance Act, prohibiting the use of drones to record images of privately owned or occupied real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance of the individual or property in violation of a reasonable expectation of privacy without written consent. Provides exceptions. Amends s. 934.50, F.S. Companion to HB 649. *Sen. Dorothy Hukill (R-Port Orange) WATCH*

- Senate: Passed the Senate by a vote of 37/2, with Sens. Bradley and Richter voting no. Now in House Messages.

PROPRIETARY INFORMATION

CS/SB 564 Exemption/Financial Information: Currently, s. 812.081, F.S., provides a public record exemption for trade secrets, defined as “any scientific, technical, or commercial information.” CS/SB 564 expands that definition to include financial information, defining “trade secret” to include “any scientific, technical, or commercial information, including financial information.” Amends s. 812.081, F.S.

Companion to HB 91. *Sen. Garrett Richter (R-Naples) ???*

- S. Rules Committee: Reported favorably.
- Senate: Rolled to third reading for passage by the Senate.

CS/SB 566 Trade Secret Exemptions: SB 564 expands the definition of “trade secret” as defined in s. 812.081, F.S., to include financial information. SB 566 incorporates by reference the expanded exemption in all statutory exemptions for trade secrets referencing s. 812.81, F.S. Amends various statutory provisions and places those provisions on a 5-year sunset review. Companion to HB 93. *Sen. Garrett Richter (R-Naples) ???*

- S. Rules Committee: A minor technical amendment is adopted; reported favorably as a committee substitute.
- Senate: Rolled to third reading for passage by the Senate.

CS/HB 1209 Exemption/Trade Secrets – High-Pressure Well Stimulation Chemical Disclosure Registry: HB 1205, in pertinent part, amends ch. 377 to require that permits be obtained from the Department of Environmental Protection before performing high-pressure well stimulation, and that DEP conduct a study of such projects. The bill also stipulates that the national chemical registry, FracFocus, is to be used at the state’s registry for chemical disclosure for all wells on which high-pressure well stimulations are performed. CS/HB 1209 creates a public record exemption for proprietary business information relating to high-pressure well simulations held by the Department of Environmental Protection *if* the person submitting such information to DEP (1) requests that the information be protected; (2) informs DEP of the basis for the claim of proprietary business information; and (3) clearly marks each page of a document containing such information as “proprietary business information.” If DEP receives a public record request for information so marked, the department must notify the person who submitted the information who then has 10 days to file an action in circuit court seeking a determination whether the information is proprietary business information and an order barring public disclosure of the information. Stipulates that failure to file an action within 10 days constitutes a waiver of any claim of confidentiality. Finally, defines “proprietary business information” as information that (1) is owned or controlled by the applicant or a person affiliated with the applicant; (2) is intended to be private and is treated as private because disclosure would harm the applicant’s business operations; (3) has not otherwise been disclosed except as

required by law or private agreement; (4) is not publicly available or otherwise ascertainable; (5) including (a) trade secrets; (b) leasing plans; (c) real property acquisition plans; (d) exploration budgets; (e) marketing studies; (f) competitive interests including well design or completion plans; (g) geological or engineering studies related to storage reservoir performance characteristics; (h) field utilization strategies; and (i) operating plans. Amends s. 377.45. Companion to SB 1582. *Rep. Ray Wesley Rodrigues (R-Fort Myers)*

- House: An amendment which would have required disclosure of information concerning known toxins and dangerous chemicals used in the fracking process failed. CS/HB 1209 rolled to third reading for passage by the House.

SB 1582 Exemption/Trade Secrets – High-Pressure Well Stimulation Chemical Disclosure Registry:

SB 1468, in pertinent part, amends ch. 377 to require that permits be obtained from the Department of Environmental Protection before performing high-pressure well stimulation, and that DEP conduct a study of such projects. The bill also stipulates that the national chemical registry, FracFocus, is to be used as the state's registry for chemical disclosure for all wells on which high-pressure well stimulations are performed. SB 1582 creates a public record exemption for trade secrets relating to high-pressure well stimulations held by DEP in connection with the online high-pressure well stimulation chemical disclosure registry *if* the person submitting trade secret information to DEP (1) requests that the information be protected; (2) informs DEP of the basis for the claim of trade secret; and (3) clearly marks each page of a document containing such information as "trade secret." If DEP receives a public record request for information so marked, the department must notify the person who submitted the information who then has 30 days to file an action in circuit court seeking a determination whether the information is trade secret and an order barring public disclosure of the information. Amends s. 377.45. Companion to HB 1209. *Sen. Garrett Richter (R-Naples) ???*

- S. Appropriations Committee: Reported favorably by a vote of 11/7, with Sens. Hukill, Joyner, Latvala, Lee, Margolis, Montford, and Smith voting no. Now on Senate Calendar.

PUBLIC EMPLOYEES

HB 141 Exemption/Home Addresses – Impaired Practitioner Consultants: Creates a public record exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants and their employees whose duties result in a determination of a person's skill and safety to practice a licensed profession. Also exempts the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by their children. Requires consultants and employees to make reasonable efforts to protect such information from being accessible through other means available to the public. Creates s. 119.071(4)(d)2.n., F.S. Companion to SB 144. *Rep. Doc Renuart (R-Ponte Vedra Beach)*

- House: Tabled; CS/SB 144 substituted. See CS/SB 144.

P-CS/SB 144 Exemption/Home Addresses – Impaired Practitioner Consultants: Creates an exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants and their employees whose duties result in a determination of a person's skill and safety to practice a licensed profession. Also exempts the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel, and the names and locations of schools and day care facilities attended by their children. Requires consultants and

employees to make reasonable efforts to protect such information from being accessible through other means available to the public. Amends s. 119.071, F.S. Companion to HB 141. *Sen. Aaron Bean (R-Jacksonville)*

- House: Substituted for CS/SB 144 and passed by the House unanimously. **PASSED THE LEGISLATURE**

PUBLIC PARTICIPATION

CS/HB 1041 Strategic Lawsuits Against Public Participation (SLAPP): Section 768.295, F.S., prohibits strategic lawsuits against public participation (SLAPP) suits by government agencies in order to protect the rights of Floridians to speak freely in connection with public issues. CS/HB 1041 amends s. 768.295, F.S., which prohibits strategic lawsuits against public participation (SLAPP) suits by persons or government agencies in order to protect the right of free speech in connection with public issues in Florida. Defines the phrase “free speech in connection with public issues” as any written or oral statement protected under law that is made before a governmental entity in connection with an issue under consideration or review, or is made in connection with creative works. Amends s. 768.295, F.S. Companion to SB 1312. *Rep. Jared Evan Moskowitz (D-Coral Springs)* 😊

- House: Tabled; CS/SB 1312 substituted. See CS/SB 1312.

P-CS/SB 1312 Strategic Lawsuits Against Public Participation (SLAPP): Section 768.295, F.S., prohibits strategic lawsuits against public participation (SLAPP) suits by government agencies in order to protect the rights of Floridians to speak freely in connection with public issues. CS/SB 1312 amends s. 768.295, F.S., to prohibit lawsuits against public participation (SLAPP) suits by persons or government agencies against those who are exercising their constitutional rights of free speech in connection with public issues. CS/SB 1312 expands the definition of “free speech in connection with public issues” to include statements made before a governmental entity in connection with public business and statements made in connection with plays, movies, television programs, radio broadcasts, audiovisual works, books, magazine articles, musical works, and news reports. Amends s. 768.295, F.S. Companion to HB 1041. *Sen. David Simmons (R-Altamonte Springs)* 😊

- House: Substituted for CS/HB 1041 and passed the House by a vote of 114/1, with Rep. Mia Jones voting no. **PASSED THE LEGISLATURE**

REGULATED INDUSTRIES

P-CS/SB 716 Exemption/Veterinary Medical Practice: Creates a public record exemption for medical records relating to (1) diagnosing the medical condition of any animal; (2) prescribing, dispensing, or administering drugs, medicine, and appliances; and (3) treatments for prevention, cure, or relief of a wound, fracture, bodily injury, or disease of any animal held by a state college of veterinary medicine. Creates s. 474.2167, F.S. Companion to HB 1287. *Sen. Alan Hays (R-Umatilla)*

- Senate: Passed the Senate by a vote of 37/1, with Sen. Hukill voting no.
- House: Substituted for CS/HB 1287; passed the House unanimously. **PASSED THE LEGISLATURE**

CS/HB 1287 Exemption/Veterinary Medical Practice: Creates a public record exemption for medical records relating to (1) diagnosing the medical condition of any animal; (2) prescribing, dispensing, or administering drugs, medicine, and appliances; and (3) treatments for prevention, cure, or relief of a

wound, fracture, bodily injury, or disease of any animal held by a state college of veterinary medicine. Creates s. 474.2167, F.S. Companion to SB 716. *Rep. Doc Renuart (R-Ponte Vedra Beach)*

- House: Tabled; CS/SB 716 substituted. See CS/SB 716.

P-SB 7008 OGSR/Licensure Examinations – Funeral Board: Reenacts, without modification, s. 497.172(1), F.S., providing an exemption for portions of meetings of the Funeral, Cemetery, and Consumer Services Board at which licensure questions and answers are discussed. Reenacts s. 497.172(1), F.S. Companion to HB 7051. *S. Banking and Insurance*

- House: Substituted for HB 7051 and passed unanimously by the House. **PASSED THE LEGISLATURE**

P-SB 7012 OGSR/Credit History and Credit Scores – Office of Financial Regulation: Reenacts without modification s. 494.00125(3), F.S., providing a public record exemption for credit history information and credit scores related to licensing of mortgage brokers and lenders held by the Office of Financial Regulation in compliance with the federal S.A.F.E. Mortgage Licensing Act of 2008. Reenacts s. 494.00125(3), F.S. Companion to HB 7089. *S. Banking and Insurance*

- House: Substituted for HB 7089. Passed the House by a vote of 114/1, with Rep. Tobia voting no. **PASSED THE LEGISLATURE**

HB 7051 OGSR/Licensure Examinations – Funeral Board: Reenacts, without modification, s. 497.172(1), F.S., providing an exemption for portions of meetings of the Funeral, Cemetery, and Consumer Services Board at which licensure questions and answers are discussed. Reenacts s. 497.172(1), F.S. Companion to SB 7008. *H. Government Operations*

- House: Tabled; SB 7008 substituted. See SB 7008.

HB 7089 OGSR/Credit History and Credit Scores – Office of Financial Regulation: Reenacts without modification s. 494.00125(3), F.S., providing a public record exemption for credit history information and credit scores related to licensing of mortgage brokers and lenders held by the Office of Financial Regulation in compliance with the federal S.A.F.E. Mortgage Licensing Act of 2008. Reenacts s. 494.00125(3), F.S. Companion to SB 7012. *H. Government Operations Subcommittee*

- House: Tabled; SB 7012 substituted. See SB 7012.

TRANSPARENCY

CS/HB 549 Associations of Government Officials: Creates s. 617.221, F.S., and defines the term “membership association” as a not-for-profit corporation, the majority of whose board members are constitutional officers who operate, control, and supervise public entities that receive annual state appropriations. Requires membership associations to file an annual report with the Senate President and House Speaker providing: (1) the name and address of the association and any parent membership association with which it is affiliated; (2) the names, titles, telephone numbers, and addresses of the principal officers and all representatives of the association; (3) the amount of the annual fee, if any, and required membership dues; (4) the current annual financial statements; (5) a copy of the current constitution and bylaws; (6) the assets and liabilities of the association at the beginning and end of the preceding fiscal year; (7) the salary, allowances, and other direct or indirect disbursement, including reimbursed expenses, to each officer and employee who received more than \$10,000 in the aggregate from the association; (8) the annual dollar amount of benefit packages paid to each of the principal officers; (9) the total amount of direct or indirect disbursements for lobby activity at the federal, state, or

local level incurred by the association; and (10) the total amount of direct or indirect disbursements for litigation expenses incurred. Finally, stipulates that a membership association cannot spend public funds on litigation against the state. Creates s. 617.221, F.S. Companion to SB 1114. *Rep. Manny Diaz, Jr. (R-Hialeah)* WATCH

- House: Three amendments are adopted, the most significant of which amends the definition of “membership association” as a not-for-profit corporation, the majority of whose board members are constitutional officers who operate, control, and supervise public schools – in other words, district school boards. The bill, as amended, passed the House by a vote of 85/28 and is now in Senate Messages. The voting record:
http://www.flsenate.gov/Session/Bill/2015/0549/Vote/HouseVote_h0549e1283.PDF

HB 985 Maintenance of Agency Final Orders: Requires agencies subject to chapter 120, the Administrative Procedures Act, to provide the Division of Administrative Hearings (DOAH) with electronic copies of agency final orders for inclusion in a centralized electronic database maintained by DOAH and available through its website. Amends s. 120.53. Companion to SB 1284. *Rep. Eric Eisnaugle (R-Orlando)*



- House: Passed the House unanimously. Now in Senate Messages.

CS/SB 1284 Maintenance of Agency Final Orders: Makes a minor change to s. 119.021, F.S., relating to custodial and maintenance requirements for public records, and amends s. 120.53 to require agencies subject to the Administrative Procedures Act to electronically transmit to the Division of Administrative Hearings a certified text-searchable copy of agency final orders rendered on or after July 1, 2015 for inclusion in DOAH’s centralized database of agency final orders. Requires agencies to redact exempt information from the final order before transmission. Amends ss. 119.021 and 120.53, F.S. Companion to HB 985. *Sen. Darren Soto (D-Kissimmee)* 😊

- S. Appropriations Committee: Reported favorably. Now on the Senate Calendar.

VOTER RECORDS

SB 228 Online Voter Registration: Requires the Florida Department of State to develop an online voter registration system by October 1, 2017, setting standards for the system and stipulating that all information submitted online must be verified by the Department of Highway Safety and Motor Vehicles. Creates s. 97.0525, F.S. Companion to HB 227. *Sen. Jeff Clemens (D-Lake Worth)* WATCH

- S. Appropriations Committee: An amendment adding an appropriation is approved; reported favorably as a committee substitute by a vote of 13/4, with Sens. Flores, Garcia, Hukill, and Negron voting no. Now on the Senate Calendar.

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If you’d like additional information about any of the bills included in this report or to know the Foundation’s position on a specific bill, please call 800/337-3518. And check our website, <http://floridafaf.org>, for copies of bill letters to various sponsors.