Subject: RE: American Oversight Public Records Requests - Redistricting Requests ending in 0226 & 0227
Date: Friday, April 29, 2022 at 7:58:09 PM Eastern Daylight Time
From: Desantis.OpenGovernment
To: AO Records, 'jblohm@meyerblohmlaw.com', King, Andrew, DeLorenz, Christopher, Newman, Ryan
Attachments: image001.png

EXTERNAL SENDER

Good afternoon,

The Office of Open Government has worked extensively and diligently to produce the following documents responsive to your request.

A search of the Executive Office of the Governor's files has produced documents responsive to your request as stated in the attached. You may find your records on the Governor's website at the link provided below under "Stoneman 16 Part 1.pdf." "Stoneman 16 Part 2.pdf" "Stoneman 16 Part 3.pdf" "Stoneman 16 Part 4.pdf" "Stoneman 16 Part 5.pdf" and "Stoneman 16 Part 6.pdf" Thank you for contacting the Executive Office of the Governor.

Public Records Requests

Sincerely,
Open Government

From: AO Records <records@americanoversight.org>
Sent: Tuesday, April 26, 2022 3:30:33 PM
To: DeLorenz, Christopher <Christopher.DeLorenz@eog.myflorida.com>
Subject: American Oversight Public Records Requests - Redistricting Requests ending in 0226 & 0227

Chris,

Thank you for speaking with me yesterday. American Oversight continues to evaluate whether a lawsuit is necessary to place our disputed issues in front of a judge for their attention and input. In the meantime, American Oversight is willing to receive rolling productions of documents responsive to the two redistricting-related requests at issue in the April 20, 2022 letter from our counsel, beginning with a production this Friday, April 29, 2022, of the documents responsive to Item 2 of Request FL-GOV-22-0226.

I also have a follow-up question in light of our conversation regarding the search parameters and processes

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used by the Governor's Office—in particular the fact that the individuals whose emails are at issue are apparently not queried during the processing of a request. Can you please confirm whether and how responsive documents are preserved while our requests are pending? Is a preservation letter sent or other type of litigation hold placed on the individuals' emails during the pendency of a request?

Sincerely,
Taylor

Taylor Stoneman (she/her)
Counsel
American Oversight
records@americanoversight.org
(202) 848-1319

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 14, 2022

Date: Monday, March 14, 2022 5:16:00 PM

The Governor's Office received the following bills today:

CS/SB 520 – Public Records and Public Meetings

AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

The Governor has until March 29, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; _All EOG OPB SDD; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov

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AMERICAN OVERSIGHT

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Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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"Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 31, 2022
Date: Thursday, March 31, 2022 3:41:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

The Governor has until April 15, 2022 to act on this bill.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	Kopelousos, Stephanie
Bcc:	"Tom.Hamby@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "Michelle.Davila@myfloridahouse.gov"; "Christa.Calamas@myfloridahouse.gov"; Hassell, Joanna; "Eric.Pridgeon@laspbs.state.fl.us"; "Kurt.Hamon@myfloridahouse.gov"; "Leda.Kelly@myfloridahouse.gov"; "Stephanie.Birtman@myfloridahouse.gov"; "Heather.Williamson@myfloridahouse.gov"; Sarkissian, Jenna; "Trina.Kramer@myfloridahouse.gov"; "Mackintosh.Andrew@flsenate.gov"; "yeatman.tom@flsenate.gov"; "betta.katherine@flsenate.gov"; "meyer.reynold@flsenate.gov"; "Letarte.Christie@flsenate.gov"; Mizereck, Kathy; "cleary.allie@flsenate.gov"; "Tim.Sadberry@laspbs.state.fl.us"; "Ferrin.Jay@flsenate.gov"; "Bouck.Matthew@flsenate.gov"; "Brown.Allen@flsenate.gov"; "Roberts.Dawn@flsenate.gov"
Subject:	Invite - State of the State Reception 2022
Date:	Monday, January 10, 2022 8:48:38 PM
Attachments:	Invite - State of the State Reception 2022.pdf

The Governor and First Lady of the State of Florida

are looking forward to hosting you at

The State of the State Reception

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida
On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please RSVP to Stephanie.Kopelousos@eog.myflorida.com or call me on my cell at 850-510-6613.

AMERICAN OVERSIGHT

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to be held at

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Tallahassee, Florida

On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please follow R.S.V.P. directions
in the email invitation
Invitation is non-transferable

There is no charge to attend this event. For those guests who are required under applicable lobbying or gift laws to pay for food or beverage consumed at the reception, the cost is $20 per guest. Payment must be made prior to the event in the form of a check made payable to "Governor's Mansion Auxiliary" and mailed to: Governor's Mansion Auxiliary, 700 N. Adams Street, Tallahassee, Florida 32303

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000008

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Kopelousos, Stephanie
Bcc:	Tom.Hamby@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; Michelle.Davila@myfloridahouse.gov; Christa.Calamas@myfloridahouse.gov; Hassell, Joanna; Eric.Pridgeon@laspbs.state.fl.us; Kurt.Hamon@myfloridahouse.gov; Leda.Kelly@myfloridahouse.gov; Stephanie.Birtman@myfloridahouse.gov; Heather.Williamson@myfloridahouse.gov; Sarkissian, Jenna; Trina.Kramer@myfloridahouse.gov; Mackintosh.Andrew@flsenate.gov; yeatman.tom@flsenate.gov; betta.katherine@flsenate.gov; meyer.reynold@flsenate.gov; Letarte.Christie@flsenate.gov; Mizereck, Kathy; cleary.allie@flsenate.gov; Tim.Sadberry@laspbs.state.fl.us; Ferrin.Jay@flsenate.gov; Bouck.Matthew@flsenate.gov; Brown.Allen@flsenate.gov; Roberts.Dawn@flsenate.gov
Subject:	Invite - State of the State Reception 2022
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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000010

From:	Kopelousos, Stephanie
To:	"Leda.Kelly@myfloridahouse.gov"; "Donna.Ellerkamp@myfloridahouse.gov"
Cc:	tyler.sirois myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; "Kelly.Skidmore@myfloridahouse.gov"; "christopher.benjamin@myfloridahouse.gov"; Kamia.Brown myfloridahouse.gov; "Fabricio, Tom"; elizabeth.fetterhoff myfloridahouse.gov; "Giallombardo, Mike"; "Joe.Harding@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; dotie.joseph myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; "Daisy.Morales@myfloridahouse.gov"; daniel.perez myfloridahouse.gov; scott.plakon myfloridahouse.gov; David.Silvers myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; "Trabulsy, Dana"; jayer.williamson myfloridahouse.gov; "Maggard, Randy"; lawrence.mcclure myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; mike.beltran myfloridahouse.gov
Subject:	Correspondence from Governor"s General Counsel
Date:	Friday, February 18, 2022 8:41:00 AM
Attachments:	Executive Office of the Governor Legal Memorandum - 2.18.2022 - UPDATED.pdf Governor"s Request for Advisory Opinion - 2.1.2022.pdf Governor"s Brief - 2.7.2022.pdf

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Leda,

Attached is correspondence from the Governor's General Counsel for consideration and inclusion in the record.

Thanks,

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001
www.flgov.com
850-717-9418

February 18, 2022

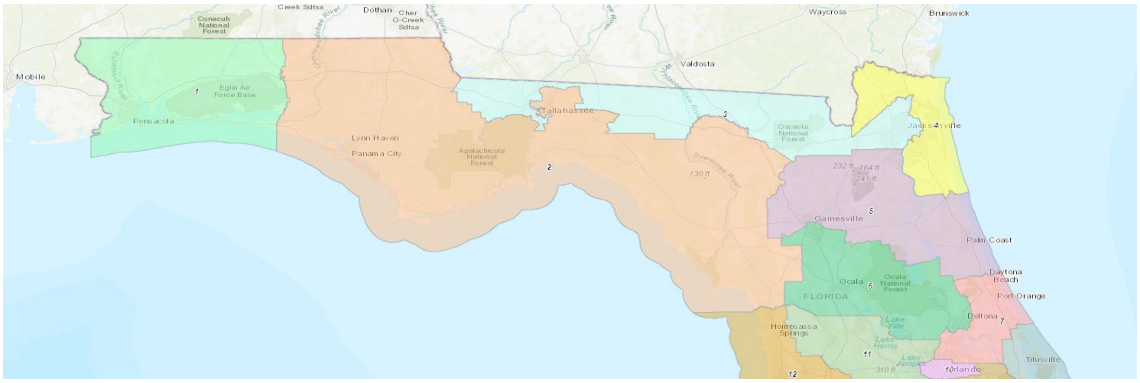
Honorable Tyler Sirois
Member, Florida House of Representatives
Chairman, Congressional Redistricting Subcommittee
400 South Monroe Street
Tallahassee, Florida 32399

Dear Chairman Sirois:

I write to convey the legal objections of the Executive Office of the Governor to the inclusion of Congressional District 3 in the maps proposed by the staff of the Florida House Redistricting Committee. The proposed district, which largely tracks current Congressional District 5, spans approximately 200 miles from East to West and cuts across eight counties to join a minority population in Jacksonville with a separate and distinct minority population in Leon and Gadsden Counties. The district is not compact and does not otherwise conform to usual political or geographic boundaries. Instead, it appears to be drawn solely to combine separate minority populations from different regions of northern Florida in a less than majority-minority district so that together they may have an opportunity to elect a candidate of their choice.

Where race is "the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district," the legislature must prove that such "race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Cooper v. Harris*, 137 S. Ct. 1455, 1463-64 (2017) (citations omitted). Because the Legislature cannot show that the proposed Congressional District 3 would satisfy strict scrutiny, the proposed district violates the Fourteenth Amendment to the U.S. Constitution and should not be included in any map enacted by the Florida House of Representatives.

Proposed Congressional District 3 (Blue)



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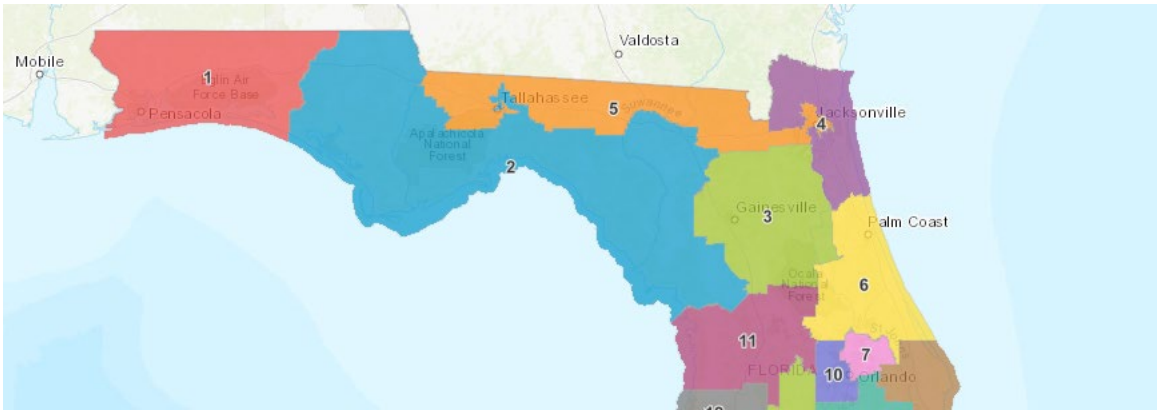
Current Congressional District 5 (Orange)



The Equal Protection Clause of the Fourteenth Amendment generally prohibits state laws that separate citizens into groups on the basis of race. A state law that "expressly distinguishes among citizens because of their race" can survive legal challenge only if it is "narrowly tailored to further a compelling governmental interest." *Shaw v. Reno*, 509 U.S. 630, 643 (1993). This principle applies not only to a law that "contains explicit racial distinctions, but also to those 'rare' statutes that, although race neutral, are, on their face, 'unexplainable on grounds other than race.'" *Id.* (quoting *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266 (1977)). Redistricting legislation is treated no differently. According to the U.S. Supreme Court, "redistricting legislation that is so bizarre on its face" that it can only be explained because of race "demands the same close scrutiny that we give other state laws that classify citizens by race." *Id.* at 644.

To state an equal protection claim, a plaintiff must "show, either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's [line-drawing] decision." *Miller v. Johnson*, 515 U.S. 900, 916 (1995). Specifically, the plaintiff must prove that "the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations." *Id.*

Given the foregoing considerations, it is evident that non-racial grounds cannot explain proposed Congressional District 3. First, the district violates traditional districting principles. Far from compact, the district records compactness scores as low as .11 on the Reock test, .63 on the Area / Convex Hull test, and .1 on the Polsby-Popper test. It also does not respect political subdivisions or communities defined by actual shared interests. The district splits four counties and three municipalities, and it stretches across eight counties to join a minority population in Jacksonville with minority populations in Leon and Gadsden Counties. These communities are in separate and distinct regions of northern Florida and are not defined by shared interests. With respect to contiguity, the district narrows to a mere three miles wide from North to South when traversing the northernmost precincts of Leon County at the state's northern border in an effort to include the minority populations in western Leon County and Gadsden County while avoiding the non-minority population in eastern Leon County.

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Second, only two considerations plausibly explain the district's unusual shape—partisanship or race. If the district were drawn to favor partisan interests, it would violate the Fair Districts Amendment of the Florida Constitution. Article III, Section 20 of the Florida Constitution provides that "[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent." If improper partisan interests did not play a role, the only reasonable explanation for the district is race. This conclusion follows from the historical circumstances surrounding the creation of the current district.

The Florida Supreme Court drew the current district—Congressional District 5—in 2015. The Court rejected a North-South configuration of the district that ran from Jacksonville to Orlando because it concluded that such configuration had been unconstitutionally tainted by improper partisan influences. *League of Women Voters of Fla. v. Detzner*, 172 So. 3d 363, 403 (Fla. 2015) ("*Apportionment VII*"). The Court further held that the North-South version was not "necessary to avoid diminishing the ability of black voters to elect a candidate of their choice." *Id.* Consequently, the Court adopted the current East-West version. *Id.* at 405-06. While acknowledging that the new configuration was not a "model of compactness," *id.* at 406 (internal quotation marks omitted), the Court determined that it would not "diminish the ability of black voters to elect a candidate of their choice." *Id.* at 405. The Court explained that the non-compact shape was necessary because of "geography" and "other constitutional requirements such as ensuring that the apportionment plan does not deny the equal opportunity of racial or language minorities to participate in the political process or diminish their ability to elect representatives of their choice." *Id.* at 406 (citation omitted). Thus, it is clear that race considerations predominated in the drawing of the current district. And because the proposed reapportionment plan seeks to retain the district in large measure to avoid diminishment of minority voting power, race considerations likewise predominate in the creation of proposed Congressional District 3.

Third, it is obvious, given the location of minority neighborhoods and precincts, that district lines in both Jacksonville and Tallahassee were drawn specifically to capture minority populations and to combine them into one district. But according to the U.S. Supreme Court, "[a] reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who may have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid." *Shaw*, 509 U.S. at 647. By attempting to connect a minority population in Jacksonville with a faraway minority population in Tallahassee and surrounding areas, proposed Congressional District 3 does precisely what the U.S. Supreme Court has condemned.

Because it subordinates traditional districting criteria to avoid diminishment of minority voting power, Congressional District 3 is a racial gerrymander that can survive constitutional challenge only if the Legislature can prove that "its race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Cooper*, 137 S. Ct. at 1464 (citation omitted). The Legislature cannot meet that exacting burden here.

The U.S. Supreme Court has long assumed, without definitively deciding, that complying with the Voting Rights Act ("VRA") is a compelling interest. *Id.* at 1464, 1469. In this case,

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however, there is no good reason to believe that the VRA requires Congressional District 3. According to the U.S. Supreme Court in *Bartlett v. Strickland*, 556 U.S. 1, 26 (2009) (plurality), Section 2 is satisfied only when a compact majority of minority citizens can be drawn into a single district. But there is no configuration in any proposal put forward in any public map that we are aware of that has created a majority-minority district in northern Florida.

As both the U.S. Supreme Court and the Florida Supreme Court have noted, Section 2 prohibits the dilution of minority votes where a minority group is "sufficiently large and geographically compact to constitute a majority in some reasonably configured legislative district." *Cooper*, 137 S. Ct. at 1470 (internal quotation marks omitted); *see also Thornburg v. Gingles*, 478 U.S. 30, 50 (1986); *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 622-23 (Fla. 2012) ("*Apportionment I*"). Congressional District 3 is not a reasonably configured district, and in any event, it does not contain a minority group that is sufficiently large and geographically compact to constitute a majority.

Nor does Section 5 of the VRA require Congressional District 3. Before the U.S. Supreme Court invalidated the VRA's coverage formula in *Shelby County v. Holder*, 570 U.S. 529, 553-57 (2013), the State of Florida was not a covered jurisdiction under Section 5, but five Florida counties were: Collier, Hardee, Hendry, Hillsborough, and Monroe. None of those counties are in Congressional District 3. Moreover, even assuming that compliance with the VRA is a compelling interest, it is doubtful that "continued compliance with [Section] 5 remains a compelling interest" in light of "*Shelby County v. Holder*." *Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 276 (2015).

Finally, the U.S. Supreme Court has never held that compliance with a state non-diminishment requirement is a compelling interest sufficient to withstand strict scrutiny under the Fourteenth Amendment's Equal Protection Clause. That is especially so where the state race-based requirement lacks a strong basis in evidence. To the extent that Article III, Section 20(a)'s non-diminishment provision parallels Section 5 of the VRA, *see Apportionment I*, 83 So. 3d at 619-20, it should be noted that Congress compiled in 1965 an extensive record of racial discrimination in state electoral processes to justify Section 4 and 5's "strong medicine" and "extraordinary measures to address an extraordinary problem." *Shelby County*, 570 U.S. at 534-35; *see also South Carolina v. Katzenbach*, 383 U.S. 301, 329-34 (1966). When Florida voters approved Article III, Section 20(a), by contrast, they did not have before them a similar record of pervasive, flagrant, widespread, or rampant discrimination.

In any event, the non-diminishment provision of the Florida Constitution simply does not require Congressional District 3. Article III, Section 20(a) of the Florida Constitution provides that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." This section contains two relevant provisions: the first is the non-vote-dilution provision ("districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process"), and the second is the non-diminishment provision ("districts shall not be drawn . . . to diminish their ability to elect representatives of their choice"). The

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Florida Supreme Court has held that the non-vote-dilution provision mirrors Section 2 of the VRA. *Apportionment I*, 83 So. 3d at 619-23.

When Article III, Section 20(a) is read in this context, it becomes apparent that the group referenced in the latter non-diminishment provision is the very same group of "racial or language minorities" referenced in the former non-vote-dilution provision. The word "their" in the non-diminishment provision necessarily refers back to the "racial or language minorities" in the non-vote-dilution provision. Because the non-vote-dilution provision mirrors Section 2 of the VRA, and because Section 2 only applies to districts that contain a minority group that is sufficiently large and geographically compact to constitute a majority, the non-diminishment provision should also apply to those kinds of districts. Because Congressional District 3 does not contain a minority group that is sufficiently large and geographically compact to constitute a majority, Article III, Section 20(a)'s non-diminishment provision does not apply.

With this reading, both the non-vote-dilution provision and the non-diminishment provision work in tandem. The non-vote-dilution provision allows minority groups to form geographically compact districts where appropriate. *See Gingles*, 478 U.S. at 50-51 (requiring, additionally, political cohesion of the minority group and bloc voting of the majority group). The non-diminishment provision allows minority groups to maintain those districts where appropriate. *See Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 477-80 (1997). In other words, the non-vote-dilution provision goes into effect when a reasonably cohesive district *could be formed*, and the non-diminishment provision goes into effect *once the district has been formed*.

This reading of Article III, Section 20(a)'s non-diminishment provision to refer to "racial or language minorities" in the non-vote-dilution provision flows from the text of the Florida Constitution. It also gives the Florida Constitution the best chance to avoid the federal constitutional concerns raised above. *See Cooper*, 137 S. Ct. at 1463-64, 1482 (invalidating two North Carolina congressional districts).

In sum, I respectfully ask that you consider the foregoing legal objections to Congressional District 3. I also respectfully ask that you include in the legislative record Governor DeSantis' advisory opinion request to the Florida Supreme Court and the Governor's brief before the Florida Supreme Court.

Sincerely,

Ryan Newman
General Counsel

cc: Honorable Chris Sprowls
Speaker, Florida House of Representatives
400 South Monroe Street
Tallahassee, Florida 32399

AMERICAN OVERSIGHT

Filing # 143038402 E-Filed 02/01/2022 11:11:04 AM

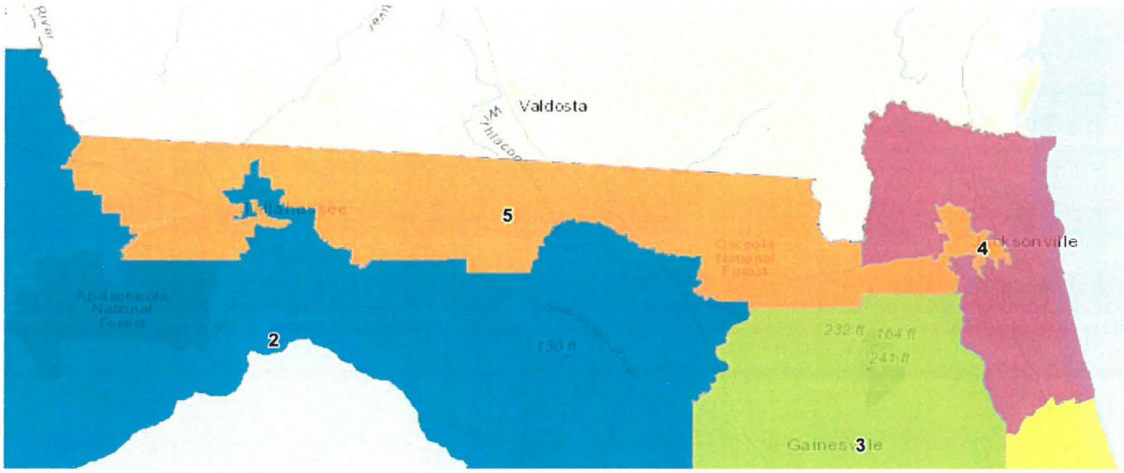
RON DESANTIS
GOVERNOR

February 1, 2022

Honorable Charles T. Canady
Chief Justice of the Florida Supreme Court
Florida Supreme Court, 500 S. Duval St.
Tallahassee, Florida 32399

Mr. Chief Justice and Justices of the Florida Supreme Court:

In the coming weeks, the Florida Legislature must present to me a bill that redraws Florida's congressional districts consistent with the most recent decennial census, *see* 2 U.S.C. §§ 2a–2c, and the one-person, one-vote requirement of the U.S. Constitution, *see Kirkpatrick v. Preisler*, 394 U.S. 526, 530–31 (1969). All maps that have been published by the Legislature and are currently under consideration retain, for the most part, the current Congressional District 5. The district stretches over 200 miles from East to West across eight counties without conforming to usual political or geographic boundaries, solely to connect a minority population center in Jacksonville with a separate and distinct minority population center in Leon and Gadsden Counties so that, together, these minority populations may elect a candidate of their choice. It is a narrow district that compresses to only three miles wide, North to South, when traversing a string of the northernmost precincts in Leon County so the district can connect with the minority population in western Leon County without including the non-minority population in eastern Leon County. Similarly, in Duval County, the district narrows to about a mile and a half in width. As of the 2020 Census, two counties, Duval to the East and Leon to the West, alone contribute 82.77% of the district's population. These counties are in two completely different regions of the State.



See FLSCOR, *Florida Congressional Districts 1982-2022*, ArcGIS Online, https://www.arcgis.com/home/item.html?id=db44457f19684fd99b19ce64f96ae787 (click "View") (last visited Feb. 1, 2022).

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

I seek this Court's opinion on whether Article III, Section 20(a) of the Florida Constitution requires the retention of a district in northern Florida that connects the minority population in Jacksonville with distant and distinct minority populations (either in Leon and Gadsden Counties or outside of Orlando) to ensure sufficient voting strength, even if not a majority, to elect a candidate of their choice.

This Court's constitutional power to render an advisory opinion is quite broad. Upon my request, this Court may opine as to "the interpretation of *any* portion of [the] constitution upon *any* question affecting the governor's executive powers and duties." Art. IV, § 1(c), Fla. Const. (emphasis added). The Florida Constitution provides that "[t]he supreme executive power shall be vested in a governor." Art. IV, § 1(a), Fla. Const. That executive power includes the "[e]xecutive approval and veto" power over bills the Florida Legislature presents to me, Art. III, § 8, Fla. Const.; the duty to "take care that the laws be faithfully executed," Art. IV, § 1(a), Fla. Const.; and the power of "direct supervision" over the "administration" of the Department of State, Art. IV, § 6, Fla. Const.; *see also* § 20.02(3), Fla. Stat. (providing that "[t]he administration of any executive branch department . . . placed under the direct supervision of an officer . . . appointed by and serving at the pleasure of the Governor shall remain at all times under the constitutional executive authority of the Governor"); § 20.10, Fla. Stat. (creating the Department of State, which is headed by the Secretary of State, who is appointed by and serves at the pleasure of the Governor).

Once presented with a congressional redistricting bill, I must decide whether to approve or veto it, and even if I take no action and the law goes into effect, I must nevertheless take care that the Constitution and laws of the State of Florida are faithfully executed. The Secretary of State, whom I direct and oversee, is the chief election officer of the State, § 97.012, Fla. Stat., and is responsible for, among many things, "[o]btain[ing] and maintain[ing] uniformity in the interpretation and implementation of the election laws," *id.* § 97.012(1), and certifying "the names of all duly qualified candidates for nomination or election who have qualified with the Department of State," § 99.061(6), Fla. Stat. The Department of State will also be responsible for defending any legal challenges to the new congressional redistricting map. In deciding whether to exercise my veto power once the Legislature's congressional redistricting bill is presented to me, and how best to faithfully implement the law if enacted, I now seek your "opinion . . . as to the interpretation of [a] portion of [the] constitution" that applies to the congressional redistricting process. Art. IV, § 1(c), Fla. Const. Such an opinion is both necessary and appropriate in this instance.

First, the once-in-a-decade congressional redistricting process is a unique circumstance: it is required by the U.S. Constitution, and it must be completed before upcoming congressional elections. With the qualifying period for election to the U.S. House of Representatives quickly approaching, the voters and candidates have a pressing need for certainty regarding the meaning of the State's non-diminishment standard. *See* § 99.061(9), Fla. Stat.; https://dos.myflorida.com /elections/candidates-committees/qualifying/. In contrast, most legislation is neither constitutionally mandated nor of the sort where prolonged uncertainty regarding the meaning of such text may adversely affect the State's elections. *See League of Women Voters of Fla. v.*

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Detzner, 172 So. 3d 363, 372 (Fla. 2015) ("*Apportionment VII*") ("We emphasize the time-sensitive nature of these proceedings, with candidate qualifying for the 2016 congressional elections now less than a year away . . . ."). I make my request in the spirit of seeking as much guidance as possible from you consistent with "[t]his Court['s] . . . obligation to provide certainty to candidates and voters regarding the legality of the state's congressional districts." *League of Women Voters of Fla. v. Detzner*, 179 So. 3d 258, 262 (Fla. 2015) ("*Apportionment VIII*") (citation and internal quotation marks omitted).

Second, I am aware that on one occasion well over a century ago, the members of this Court declined to opine on a constitutional question in aid of my predecessor's exercise of the veto power. *See In re Exec. Commc'n*, 6 So. 925 (Fla. 1887). Notwithstanding that the Florida Constitution assigns to the Executive the power to approve or veto legislation, *see* Art. III, § 8, Fla. Const., this Court concluded that "any act which is an essential prerequisite" to the enactment of a law "is legislative" and is performed by the Executive "as a part of the lawmaking power." *In re Exec. Commc'n*, 6 So. at 925. This reasoning, which you are not bound to follow, *see In re Advisory Opinion of Governor Civil Rights*, 306 So. 2d 520, 523 (Fla. 1975), conflicts with the separation of powers enshrined in Article II, Section 3 of the Florida Constitution, and I respectfully request that you give the 1887 response no weight.

In particular, the Florida Constitution vests the State's legislative power in the Florida Legislature. *See* Art. III, § 1, Fla. Const. It follows, therefore, that the Governor's exercise of what the Constitution characterizes as the power of "[e]xecutive approval and veto," Art. III, § 8, Fla. Const., is not a legislative power. Rather, the veto power is an executive check on the legislative power; "[e]ach branch of the government necessarily at times, either by express provision of the Constitution or in the orderly administration of the state's affairs, comes in contact with one or the other branch, but such contact in n[o]wise merges the functions of one into that of the other." *Amos v. Gunn*, 94 So. 615, 627–28 (Fla. 1922) (Ellis, J., on pet. for reh'g). This Court's more recent opinions thus acknowledge that the exercise of the veto is an executive power.[1]

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[1] *See, e.g.*, *Chiles v. Child. A, B, C, D, E, & F*, 589 So. 2d 260, 264 (Fla. 1991) ("Article III, section 8 sets forth the procedure for the executive power to approve or veto legislation of both nonappropriations and appropriations bills."); *Brown v. Firestone*, 382 So. 2d 654, 672 (Fla. 1980) ("We hold further that the vetoes identified herein as 2, 4, 5 and 6 are valid as being within the purview of the executive power granted by article III, section 8(a)[.]"); *Owens v. State*, 316 So. 2d 537, 538 n.4 (Fla. 1975) ("Although article IV of the constitution deals with the executive branch, the placement of a legislative power in one subsection of that article does not render the delegated power nugatory. The placement is functional, as with executive powers conferred in the judicial article (art. V, [§] 11) and in the legislative article (art. III, [§] 8)."); *In re Advisory Opinion to the Governor*, 239 So. 2d 1, 9 (Fla. 1970) ("The Legislature may not validly so draft a general appropriations bill as to unduly and unreasonably preclude the exercise of the executive power to 'veto any specific appropriation in a general appropriation bill.'" (quoting Art. III, § 8(a), Fla. Const.)); *see also Green v. Rawls*, 122 So. 2d 10, 13 (Fla. 1960) ("[U]nder our tripartite division of the powers of government, and the checks and balances designed to be accomplished thereby, the chief executive must have the power and the opportunity to veto

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Third, the question affecting my executive powers and duties concerns Article III, Section 20(a) of the Florida Constitution, which provides that:

> No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process *or to diminish their ability to elect representatives of their choice*; and districts shall consist of contiguous territory.

Art. III, § 20(a), Fla. Const. (emphasis added). I limit my request to the phrase "diminish their ability to elect representatives of their choice"—the State's non-diminishment standard. Except where it may be necessary to inform your interpretation of the Florida Constitution, I do not ask for your opinion on any issues of federal law. *Cf. In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 620-21 (Fla. 2012) ("*Apportionment I*") (recognizing that the non-diminishment standard borrows from § 5 of the Voting Rights Act but "nonetheless recogniz[ing] our independent constitutional obligation to interpret our own state constitutional provisions").

Specifically, I ask whether the Florida Constitution's non-diminishment standard mandates a sprawling congressional district in northern Florida that stretches hundreds of miles from East to West solely to connect black voters in Jacksonville with black voters in Gadsden and Leon Counties (with few in between) so that they may elect candidates of their choice, even without a majority. This Court has previously suggested that the answer is "yes." *Apportionment VIII*, 179 So. 3d at 271 ("Although District 5 was required to be drawn from East to West, no specific configuration was mandated in *Apportionment VII*," and this Court did not "specify a certain Black Voting Age Population (BVAP) or black share of registered Democrats as a 'floor' below which the ability of black voters to elect a candidate of choice was certain to be diminished.").

In 2015, this Court rejected a North-South configuration of the district that ran from Jacksonville to Orlando. The Court held that the North-South version had been unconstitutionally tainted by partisan and other improper influences and that such a configuration was not "necessary to avoid diminishing the ability of black voters to elect a candidate of their choice." *Apportionment VII*, 172 So. 3d at 403. Consequently, the Court adopted the East-West configuration that exists today. *Id.* at 405–06. In so doing, this Court acknowledged that this configuration was not a "model of compactness," *id.* at 406 (internal quotation marks omitted), but nevertheless concluded that it was "visually less 'unusual' and 'bizarre' than the meandering North-South version," *id.*, and that it would not "diminish the ability of black voters to elect a candidate of their choice," *id.* at 405. This Court indicated that the non-compact shape of the East-West district was nevertheless necessary because of "geography" and "other constitutional

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legislative action, subject to the power of the legislature to override the executive veto by the vote of a specified number of the legislature.").

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requirements such as ensuring that the apportionment plan does not deny the equal opportunity of racial or language minorities to participate in the political process or diminish their ability to elect representatives of their choice." *Id.* at 406 (citation omitted).

This Court's prior guidance, however, pre-dates relevant decisions from the U.S. Supreme Court. In 2017, the U.S. Supreme Court made clear that where "racial considerations predominate[] over others, the design of the district must withstand strict scrutiny." *Cooper v. Harris*, 137 S. Ct. 1455, 1464 (2017). To satisfy this test, and thus pass muster under the Fourteenth Amendment to the U.S. Constitution, a state must "prove that its race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Id.* (citations omitted). While the U.S. Supreme Court "has long assumed that one compelling interest is complying with operative provisions of the Voting Rights Act," a state must show "that it had 'a strong basis in evidence'" to conclude that the Act required race-based sorting of voters. *Id.* (citation omitted). In *Cooper*, North Carolina did not meet its burden when arguing that compliance with § 2 of the Voting Rights Act served as a compelling reason. *Id.* at 1469–72. Specifically, North Carolina could not satisfy § 2's threshold conditions: (1) that the "minority group" was "sufficiently large and geographically compact to constitute a majority" in a reasonably compact legislative district, (2) that the minority group was "politically cohesive," and (3) that the district's majority group voted "sufficiently as a bloc" to "defeat the minority's preferred candidate." *Id.* at 1470 (quoting *Thornburg v. Gingles*, 478 U.S. 30, 50–51 (1986)).

If this Court advises that the non-diminishment standard does not specifically require that an East-West district be drawn to connect minority voters in Jacksonville with minority voters in Leon and Gadsden Counties, I nevertheless request guidance on what the non-diminishment standard does require. Specifically, I ask whether the Florida Constitution's non-diminishment standard requires that congressional districts be drawn to connect minority populations from distant and distinct geographic areas if doing so would provide the assembled minority group sufficient voting strength (although not a majority of the proposed district) to elect a candidate of its choice. Or, conversely, does the non-diminishment standard merely require that a minority population in a reasonably cohesive geographic area, where the population is not a majority but is nevertheless large enough to elect candidates of its choice, continue to be able to elect such candidates?

Relatedly, to make sense of the non-diminishment standard, I ask for clarification from this Court on what constitutes a proper benchmark for determining whether a minority group's ability to elect a candidate of its choice has been diminished. This Court has said that the "existing plan of a covered jurisdiction serves as the 'benchmark' against which the 'effect' of voting changes is measured.'" *Apportionment I*, 83 So. 3d at 624 (citation omitted). But is that so even if the district in the existing plan was designed solely to cobble together enough minority voters from distant and distinct geographic areas to elect candidates of their choice despite not constituting a majority? Or must the benchmark be confined to the minority population in a reasonably cohesive geographic area?

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Florida's non-diminishment standard—like the Voting Rights Act's non-diminishment standard—is a potent, race-based solution to a race-based problem. I ask for your opinion to help me be sufficiently conscious of race to comply with the Florida Constitution's anti-diminishment provision but avoid being so conscious of race that my actions could violate the U.S. and Florida Constitutions.

Because the U.S. Supreme Court's decisions inform, but do not definitively resolve, issues of state law, I ask for you to exercise your "independent constitutional obligation" to interpret Florida law, *id.* at 621, and to guide me in exercising my executive powers as Governor. *See* Art. III, § 8, Fla. Const.; Art. IV, § 1(a), Fla. Const. I respectfully request your assistance as expeditiously as possible given that March 11, 2022, is the last day of the legislative session and candidates for the U.S. House of Representatives will need to qualify under a new map in June.

Thank you for your consideration.

Respectfully submitted,

Ron DeSantis
Governor of Florida

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In the Supreme Court of Florida

CASE NO. SC22-139

ADVISORY OPINION TO THE GOVERNOR RE: WHETHER ARTICLE III, SECTION 20(A) OF THE FLORIDA CONSTITUTION REQUIRES THE RETENTION OF A DISTRICT IN NORTHERN FLORIDA, ETC.

BRIEF OF RON DESANTIS, GOVERNOR OF FLORIDA

Ryan Newman (FBN 1031451)
General Counsel
Joshua Pratt (FBN 119347)
Deputy General Counsel
Nicholas Meros (FBN 120270)
Deputy General Counsel
EXECUTIVE OFFICE OF THE GOVERNOR
400 S Monroe St
Tallahassee, FL 32399
(850) 717-9310
ryan.newman@eog.myflorida.com
joshua.pratt@eog.myflorida.com
nicholas.meros@eog.myflorida.com

Mohammad Jazil (FBN 72556)
Michael Beato (FBN 1017715)
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
119 S Monroe St Ste 500
Tallahassee, FL 32301
(850) 270-5938
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com

Jason Torchinsky*
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
2300 N Street NW
Washington, DC 20037
(202) 737-8808
jtorchinsky@holtzmanvogel.com
**pro hac vice motion forthcoming*

Counsel for Governor Ron DeSantis

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ARGUMENT

This Court has jurisdiction to advise on the interpretation of the following phrase: "*districts shall not be drawn* with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or *to diminish their ability to elect representatives of their choice*." Art. III, § 20(a), Fla. Const. (emphasis added). Section 20(a)'s non-diminishment provision affects several of the Governor's executive powers and duties, namely his power to veto the congressional map presented to him, art. III, § 8, Fla. Const.; his duty to take care that the laws are faithfully executed, art. IV, § 1(a), Fla. Const.; and his power to directly supervise his Secretary of State in the administration of elections, art. IV, § 6, Fla. Const. Section 20(a)'s text is less than clear. There is a textual interpretation of this section, however, that avoids serious concerns under the U.S. Constitution. An advisory opinion confirming that interpretation would help the Governor ensure that the redrawing of congressional boundaries, which must occur every ten years, does not violate the Florida or U.S. Constitutions and is completed in a timely way to provide certainty

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to candidates and voters before the qualifying period begins in June.[1] Unlike most other legislation, redistricting is not discretionary and must be completed in short order before the electoral process commences. The unique demands of redistricting justify the Court's exercise of jurisdiction.

I. THIS COURT HAS JURISDICTION TO PROVIDE AN ADVISORY OPINION TO THE GOVERNOR.

Article IV, section 1(c) of the Florida Constitution allows this Court to render an advisory opinion to the Governor concerning "the interpretation of any portion of th[e] constitution" that "affect[s]" his "executive powers and duties." The interpretation of section 20(a) informs, and thus affects, how the Governor will exercise his executive powers and duties with respect to congressional redistricting legislation. Specifically, when the Florida Legislature presents to the Governor a bill that redraws Florida's congressional districts, which it must under federal law, the Governor can veto the bill, approve the bill, or take no action. A veto nullifies the bill. Approval or inaction allows the bill to become law, at which point the

[1] *See* Qualifying Information, Fla. Div. of Elections, https://dos.myflorida.com/elections/candidates-committees/qualifying (last visited February 7, 2022).

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Governor must "take care that the laws [are] faithfully executed," art. IV, § 1(a), Fla. Const., and "direct[ly] supervis[e]" his "administration," particularly his Secretary of State, in carrying out the law, art. IV, § 6, Fla. Const. These executive powers and duties satisfy the jurisdictional prerequisites.

A. The Veto Is an Executive Power.

Article III, section 8 expressly vests the Governor with the "[*e*]*xecutive* approval and *veto*" power. (Emphasis added.) If the Governor believes that a bill is "contrary to the public interest," including that it is unconstitutional, he may veto the bill. *Brown v. Firestone*, 382 So. 2d 654, 664 (Fla. 1980). The exercise of that executive power to affect legislation does not convert it into a lawmaking power any more than the judiciary's exercise of judicial review converts the judicial power into a lawmaking power.

The Florida Constitution's structure underscores that the veto is an executive power. The Florida Constitution vests "[t]he legislative power of the state" in the Florida Legislature, art. III, § 1, Fla. Const.; "[t]he supreme executive power" in the Governor, art. IV, § 1(a), Fla. Const.; and "[t]he judicial power" in the state judiciary, art. V, § 1, Fla. Const. "No person belonging to one branch shall exercise any

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powers appertaining to either of the other branches unless expressly provided herein." Art. II, § 3, Fla. Const. This separation of powers erects "high walls and clear distinctions" between each branch of government. *Plaut v. Spendthrift Farm*, 514 U.S. 211, 239 (1995).

The high walls separating executive and legislative powers are apparent in the lawmaking process. The Florida Constitution gives specific, precise powers to the legislative and executive branches with respect to the lawmaking process. As this Court has noted, "[a]rticle III, sections 1 and 7 assign to the legislature the responsibility for passage of all bills into law, regardless of their subject matter," and "[a]rticle III, section 8 sets forth the procedure for the executive power to approve or veto legislation." *Chiles v. Children A, B, C, D, E, & F*, 589 So. 2d 260, 264 (Fla. 1991). "These provisions" constitute the "constitutional allocation of the executive and legislative responsibilities concerning legislation generally." *Id.*

The Florida Constitution thus gives to the Governor the *executive* power in the legislative sphere, and that executive power includes the veto. *See id.* ("Article III, section 8 sets forth the procedure for the *executive power* to approve or *veto legislation of* both *nonappropriations* and appropriations *bills*." (emphasis added));

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Brown, 382 So. 2d at 672 ("We hold further that *the vetoes* identified herein as 2, 4, 5 and 6 a*re valid as being within the purview of the executive power* granted by article III, section 8(a)." (emphasis added)); *Owens v. State*, 316 So. 2d 537, 538 n.4 (Fla. 1975) ("Although article IV of the constitution deals with the executive branch, the placement of a legislative power in one subsection of that article does not render the delegated power nugatory" because "[t]he placement is functional, as with executive powers conferred in the judicial article . . . and in the legislative article.").

The veto is a "negative power, the power to nullify, or at least suspend, legislative intent." *Brown*, 382 So. 2d at 664. It is the "[p]rimary . . . executive check[] on unfettered legislative power" and gives the Governor a "stronger bargaining position from which to seek revision or amendment of bills" and a means to "counteract legislative action which he considers to be contrary to the public interest." *Id.* As such, in the lawmaking process, "the constitutional authority of the legislative department is in part delimited by the scope of executive authority"—as exercised by the veto power. *Id.* at 663.

By contrast, the Legislature does not have the power to veto bills—it has the power to bicamerally "pass" and "present" them, and

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to "re-enact" a vetoed bill by supermajority vote. *See* art. III, §§ 7–8, Fla. Const. So it cannot be said that in exercising the power to "veto" a bill that the Governor is exercising a power that otherwise belongs to the Legislature. It is quintessentially an executive power.

Only when the Governor exceeds his veto power by effectively amending legislative text (as opposed to nullifying it) does the Governor improperly intrude on the legislative power. For example, in the line-item-veto context, this Court has held that a Governor unconstitutionally engages in legislative action when he reduces or modifies an appropriation. *See Brown*, 382 So. 2d at 666; *Fla. House of Representatives v. Martinez*, 555 So. 2d 839, 844 (Fla. 1990).

In sum, the Governor's exercise of the veto power to affect the lawmaking process does not make the veto a legislative power. As Justice Ellis explained in 1922, "[e]ach branch of the government necessarily . . . comes in contact with one or the other branch, but such contact in n[o]wise merges the functions of one into that of the other." *Amos v. Gunn*, 94 So. 615, 627–28 (Fla. 1922). If that were so, then it follows that a "court acts in a legislative capacity when it

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declares an act of the legislature to be unconstitutional." *Id.* Because the veto is an executive power, this Court has jurisdiction.[2]

B. The Governor's Other Executive Powers and Duties Also Support Jurisdiction.

If the Governor approves or takes no action on the Florida Legislature's redrawn districts, the districts become law, and the Governor must "take care that the laws [are] faithfully executed," art. IV, § 1(a), Fla. Const., and in so doing, must "direct[ly] supervis[e]" his "administration," namely the Secretary of State, art. IV, § 6, Fla. Const. In *Advisory Opinion to the Governor Re: Implementation of Amendment 4*, this Court explained that the "Governor's question about the meaning of Amendment 4," the Florida Constitution's voting restoration amendment, "affect[ed]" his "take care" duties and

[2] In 1887, this Court declined to issue an advisory opinion on a former Governor's use of the veto power. *See In re Exec. Commc'n*, 6 So. 925 (Fla. 1887). This Court concluded that it could not render an advisory opinion because it considered the veto to be a legislative power. *Id.* This Court is not required to follow its advisory opinions, *see In re Advisory Op. of Governor Civil Rights*, 306 So. 2d 520, 523 (Fla. 1975), and for all the reasons explained, this Court should give little weight to the 1887 response. In fact, fifty years later, a "majority of th[is] Court" stated that it was "of the opinion that the duty imposed on the Governor" to veto legislation "is executive rather than legislative as may be presumed from dicta in *In Re Executive Communication*." *Advisory Opinion to the Governor*, 12 So. 2d 583, 584 (Fla. 1943).

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his "duty to provide the Department of State with necessary direction regarding the implementation of voter registration laws." 288 So. 3d 1070, 1076 (Fla. 2020). So too here.

Section 20(a)'s non-diminishment provision affects the Governor's take care duties and his duty to provide the Secretary of State with necessary direction regarding the implementation of redistricting maps. The Secretary, of course, serves at the pleasure of the Governor. *See* §§ 20.02(3), 20.10, Fla. Stat. As the "chief election officer of the state," § 97.012, Fla. Stat., the Secretary must administer future elections under any new congressional map. To administer such elections, among other things, the Secretary must "[o]btain and maintain uniformity in the interpretation and implementation of the election laws," *id.* § 97.012(1), and must certify "the names of all duly qualified candidates for nomination or election who have qualified with the Department of State," including congressional candidates, § 99.061(6), Fla. Stat.

II. THIS COURT SHOULD EXERCISE ITS DISCRETION TO ISSUE AN ADVISORY OPINION.

This Court should exercise its discretionary jurisdiction because of its "obligation to provide certainty to candidates and

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voters regarding the legality of the state's congressional districts." *League of Women Voters of Fla. v. Detzner*, 179 So. 3d 258, 262 (Fla. 2015) ("*Apportionment VIII*") (citations omitted). Unlike most other legislation, the State must create new congressional maps. *See Kirkpatrick v. Preisler*, 394 U.S. 526, 530–31 (1969); 2 U.S.C. §§ 2a–2c. The process must also be completed before the candidate qualifying period begins. The redistricting process should therefore proceed under a correct understanding of the law. The failure to do so could result in confusion and chaos in the administration of the state's congressional elections. To avoid that result, a timely advisory opinion on this matter of great public importance is both necessary and appropriate. *Apportionment VIII*, 179 So. 3d at 262; *see also In re Advisory Op. to Governor Request of June 29, 1979*, 374 So. 2d 959, 962 (Fla. 1979) (providing opinion to prevent the "confusion surrounding [an] important enactment").

The Governor does not seek the Court's opinion on the constitutionality of any proposed legislation or map. To the contrary, the Governor requests guidance on the meaning of section 20(a)'s minority-voting-protection provision, including whether it requires a district in northern Florida that stretches hundreds of miles to

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connect a black population in Jacksonville with a black population in Gadsden and Leon Counties so that they can elect a candidate of their choice, even though not a majority.

Section 20(a) can be broken into two parts with brackets added for the sake of clarity:

> districts shall not be drawn **[**with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process**]** or **[**to diminish their ability to elect representatives of their choice.**]**

Art. III, § 20(a), Fla. Const. The first bracketed clause contains the "non-vote-dilution provision," and the second contains the "non-diminishment provision." This Court has explained that section 20(a)'s non-vote-dilution provision mirrors § 2 of the Voting Rights Act and should be interpreted consistent with § 2 case law, and that section 20(a)'s non-diminishment provision mirrors § 5 of the Voting Rights Act and should be interpreted consistent with § 5 case law. *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 619–27 (Fla. 2012) ("*Apportionment I*").

Still, section 20(a)'s vote-diminishment provision remains unclear. The text neither says what "diminish" means nor does it

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clarify whose "ability to elect representatives of their choice" is protected from diminishment. The dictionary defines "diminish" as "to make less or cause to appear less," *id.* at 702 (Canady, J., concurring in part and dissenting in part) (quoting *Diminish*, Webster's Third International Dictionary (1993)). But make less than what? Measured how? And if the previous congressional map serves as a baseline, *id.* at 624, must that baseline itself be constitutionally valid before the vote-diminishment standard applies?

Untangling these questions must begin with the text and, more specifically, the phrase "ability to elect representatives of *their* choice." The word "their," as used in section 20(a), refers back to "racial or language minorities" in section 20(a)'s non-vote-dilution provision—the first bracketed clause. Cases construing § 2 of the Voting Rights Act inform any understanding of the first clause, *id.* at 619–24, and the federal cases make clear that § 2 of the Voting Rights Act applies only to "a minority group" that is "sufficiently large and geographically compact to constitute a majority" in some reasonably configured legislative district. *Thornburg v. Gingles*, 478 U.S. 30, 50

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(1986).[3] Taken together, "their" must then mean "racial or language minorities" within a reasonably cohesive geographic area. *See id.* It follows that under section 20(a)'s non-diminishment provision—the second bracketed clause—districts cannot be drawn to diminish racial or language minorities' ability to elect representatives of these geographically cohesive districts.

By giving meaning to section 20(a)'s text, we seek confirmation that such a reading comports with the rules of construction this Court now uses.[4] Among other things, we seek confirmation that the Governor's understanding of the word "their" comports with the harmonious-reading canon. Per the Governor's reading of Section 20(a), the non-vote-dilution provision allows minority groups to form

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[3] In particular, this Court has explained that section 20(a)'s non-vote-dilution provision matches § 2 of the Voting Rights Act, *Apportionment I*, 83 So. 3d at 619–24, and § 2 claims are only applicable to districts where (1) the "minority group" is "sufficiently large and geographically compact to constitute a majority," (2) the minority group is "politically cohesive," and (3) the majority "votes sufficiently as a bloc." *Gingles*, 478 U.S. at 50–51.

[4] *See Levy v. Levy*, 326 So. 3d 678, 681 (Fla. 2021) (stating that the "words of a governing text are of paramount concern, and what they convey, in their context, is what the text means." (cleaned up)); Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 56, 167 (2012).

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geographically compact districts where appropriate consistent with two other preconditions (political cohesion of the minority group and bloc voting of the majority group). *See Gingles*, 478 at 50–51. The non-diminishment provision allows minority groups to maintain those districts where appropriate. *See Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 477–80 (1997) (explaining the difference between § 2 and § 5 of the Voting Rights Act). Florida's non-vote-dilution provision therefore goes into effect when a reasonably cohesive district *could be formed*, and the non-diminishment provision goes into effect *once the district has been formed*.

But this Court has never squarely addressed whether the word "their" constrains the universe of districts to which the non-diminishment provision applies. *Apportionment I*, 83 So. 3d at 625.[5] That failure raises serious concerns under the U.S. Constitution.

[5] Giving effect to the word "their" would also be consistent with this Court's prior redistricting cases. The cases note that "[e]very word of the Florida Constitution should be given its intended meaning and effect." *Apportionment I*, 83 So. 3d at 614 (referencing *In re Apportionment Law–1972*, 263 So. 2d 797, 807 (Fla. 1972)). And the cases even suggest that the *Gingles* preconditions have some import for the second bracketed clause in section 20(a)—the non-diminishment provision. *See Apportionment VIII*, 179 So. 3d at 286 n.11 ("The *Gingles* preconditions are relevant not only to a Section 2

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Decided after this Court's decisions in *Apportionments I-VIII*, the U.S. Supreme Court recently held that a "State may not use race as the predominant factor in drawing district lines" unless the State first proves "that its race-based sorting of voters serves a compelling interest and is narrowly tailored to that end." *Cooper v. Harris*, 137 S. Ct. 1455, 1463–64 (2017) (cleaned up). This showing of compelling interest and narrow tailoring must find a "strong basis in evidence." *Id.* After all, governmental actions based on race are presumptively unconstitutional. *See id.*; *Parents Involved in Cmty. Schs. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 720 (2007).

Reading section 20(a)'s non-diminishment provision as applying only to minorities groups in geographically cohesive districts in section 20(a)'s non-vote-dilution provision would avoid significant concerns under the U.S. Constitution and would give Florida's congressional maps the best chance of surviving strict scrutiny. As in *Cooper*, such a reading would find a tether in the first *Gingles* factor, which is used for purposes of § 2 of the Voting Rights Act, and

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vote dilution analysis, but also to a Section 5 diminishment analysis.").

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the U.S. Supreme Court has assumed that compliance with § 2 would satisfy strict scrutiny. *See Cooper*, 137 S. Ct. at 1469–72.

Any reading of state law should avoid conflicts with the U.S. Constitution. Florida courts, including this Court, utilize the well-established doctrine of constitutional avoidance: "when two constructions" of state law "are possible, one of which is of questionable constitutionality," the law "must be construed so as to avoid any violation of" the "Florida and *the United States Constitutions*." *State v. Presidential Women's Ctr.*, 937 So. 2d 114, 116, 120 (Fla. 2006) (quoting *Indus. Fire & Cas. Ins. Co. v. Kwechin*, 447 So. 2d 1337, 1339 (Fla. 1983)) (emphasis added).

In light of the constitutional text and relevant interpretive canon, the best reading of section 20(a)'s non-diminishment standard is that it prevents diminishment of a reasonably cohesive racial or language minority's population. Confirming this interpretation now in an advisory opinion will avoid potential confusion and chaos later.

III. CONCLUSION.

For the foregoing reasons, this Court should provide the requested advisory opinion to the Governor.

AMERICAN OVERSIGHT

Respectfully submitted on this 7th day of February, 2022.

/s/ Mohammad Jazil

Ryan Newman (FBN 1031451)
General Counsel
Joshua Pratt (FBN 119347)
Deputy General Counsel
Nicholas Meros (FBN 120270)
Deputy General Counsel
EXECUTIVE OFFICE OF THE GOVERNOR
400 S Monroe St
Tallahassee, FL 32399-0001
(850) 717-9310
ryan.newman@eog.myflorida.com
joshua.pratt@eog.myflorida.com
nicholas.meros@eog.myflorida.com

Mohammad Jazil (FBN 72556)
Michael Beato (FBN 1017715)
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
119 S Monroe St Ste 500
Tallahassee, FL 32301-1591
(850) 270-5938
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com

Jason Torchinsky (Va. BN 47481)*
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
2300 N Street NW
Washington, DC 20037
jtorchinsky@holtzmanvogel.com

Counsel for Governor Ron DeSantis

*pro hac vice motion forthcoming

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 7, 2022, undersigned electronically filed this Brief on Jurisdiction with the Florida Supreme Court using the Florida Courts E-filing Portal. The foregoing documents have been furnished on all parties required to be served.

/s/ Mohammad Jazil
Mohammad Jazil (FBN 72556)

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CERTIFICATE OF COMPLIANCE

I CERTIFY that this brief complies with the font requirements of Florida Rules of Appellate Procedure 9.045(b) and this Court's February 2, 2022 order. This brief is 15 pages long and contains 3,476 words as counted by Word, excluding the parts of the brief exempted by Florida Rule of Appellate Procedure 9.210(a)(2)(E).

/s/ Mohammad Jazil
Mohammad Jazil (FBN 72556)

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	"Leda.Kelly@myfloridahouse.gov"; "Donna.Ellerkamp@myfloridahouse.gov"
Cc:	tyler.sirois myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; "Kelly.Skidmore@myfloridahouse.gov"; "christopher.benjamin@myfloridahouse.gov"; Kamia.Brown myfloridahouse.gov; "Fabricio, Tom"; elizabeth.fetterhoff myfloridahouse.gov; "Giallombardo, Mike"; "Joe.Harding@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; dotie.joseph myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; "Daisy.Morales@myfloridahouse.gov"; daniel.perez myfloridahouse.gov; scott.plakon myfloridahouse.gov; David.Silvers myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; "Trabulsy, Dana"; jayer.williamson myfloridahouse.gov; "Maggard, Randy"; lawrence.mcclure myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; mike.beltran myfloridahouse.gov
Subject:	Correspondence from Governor"s General Counsel
Date:	Friday, February 18, 2022 8:41:00 AM
Attachments:	Executive Office of the Governor Legal Memorandum - 2.18.2022 - UPDATED.pdf Governor"s Request for Advisory Opinion - 2.1.2022.pdf Governor"s Brief - 2.7.2022.pdf

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Leda,

Attached is correspondence from the Governor's General Counsel for consideration and inclusion in the record.

Thanks,

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001
www.flgov.com
850-717-9418

February 18, 2022

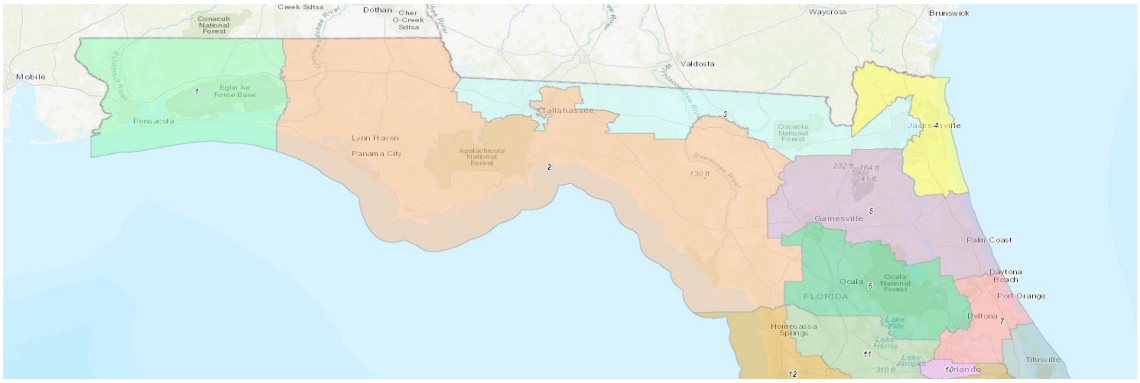
Honorable Tyler Sirois
Member, Florida House of Representatives
Chairman, Congressional Redistricting Subcommittee
400 South Monroe Street
Tallahassee, Florida 32399

Dear Chairman Sirois:

I write to convey the legal objections of the Executive Office of the Governor to the inclusion of Congressional District 3 in the maps proposed by the staff of the Florida House Redistricting Committee. The proposed district, which largely tracks current Congressional District 5, spans approximately 200 miles from East to West and cuts across eight counties to join a minority population in Jacksonville with a separate and distinct minority population in Leon and Gadsden Counties. The district is not compact and does not otherwise conform to usual political or geographic boundaries. Instead, it appears to be drawn solely to combine separate minority populations from different regions of northern Florida in a less than majority-minority district so that together they may have an opportunity to elect a candidate of their choice.

Where race is "the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district," the legislature must prove that such "race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Cooper v. Harris*, 137 S. Ct. 1455, 1463-64 (2017) (citations omitted). Because the Legislature cannot show that the proposed Congressional District 3 would satisfy strict scrutiny, the proposed district violates the Fourteenth Amendment to the U.S. Constitution and should not be included in any map enacted by the Florida House of Representatives.

Proposed Congressional District 3 (Blue)



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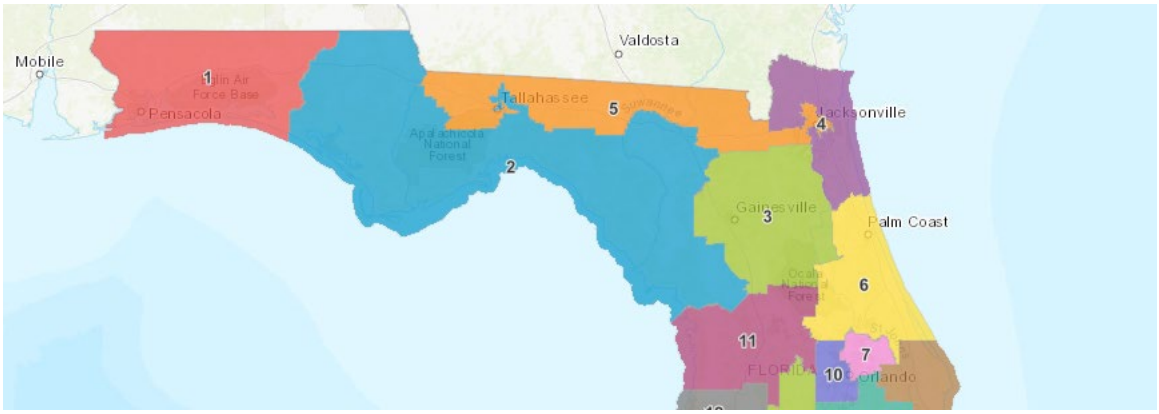
Current Congressional District 5 (Orange)



The Equal Protection Clause of the Fourteenth Amendment generally prohibits state laws that separate citizens into groups on the basis of race. A state law that "expressly distinguishes among citizens because of their race" can survive legal challenge only if it is "narrowly tailored to further a compelling governmental interest." *Shaw v. Reno*, 509 U.S. 630, 643 (1993). This principle applies not only to a law that "contains explicit racial distinctions, but also to those 'rare' statutes that, although race neutral, are, on their face, 'unexplainable on grounds other than race.'" *Id.* (quoting *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266 (1977)). Redistricting legislation is treated no differently. According to the U.S. Supreme Court, "redistricting legislation that is so bizarre on its face" that it can only be explained because of race "demands the same close scrutiny that we give other state laws that classify citizens by race." *Id.* at 644.

To state an equal protection claim, a plaintiff must "show, either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's [line-drawing] decision." *Miller v. Johnson*, 515 U.S. 900, 916 (1995). Specifically, the plaintiff must prove that "the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations." *Id.*

Given the foregoing considerations, it is evident that non-racial grounds cannot explain proposed Congressional District 3. First, the district violates traditional districting principles. Far from compact, the district records compactness scores as low as .11 on the Reock test, .63 on the Area / Convex Hull test, and .1 on the Polsby-Popper test. It also does not respect political subdivisions or communities defined by actual shared interests. The district splits four counties and three municipalities, and it stretches across eight counties to join a minority population in Jacksonville with minority populations in Leon and Gadsden Counties. These communities are in separate and distinct regions of northern Florida and are not defined by shared interests. With respect to contiguity, the district narrows to a mere three miles wide from North to South when traversing the northernmost precincts of Leon County at the state's northern border in an effort to include the minority populations in western Leon County and Gadsden County while avoiding the non-minority population in eastern Leon County.

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Second, only two considerations plausibly explain the district's unusual shape—partisanship or race. If the district were drawn to favor partisan interests, it would violate the Fair Districts Amendment of the Florida Constitution. Article III, Section 20 of the Florida Constitution provides that "[n]o apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent." If improper partisan interests did not play a role, the only reasonable explanation for the district is race. This conclusion follows from the historical circumstances surrounding the creation of the current district.

The Florida Supreme Court drew the current district—Congressional District 5—in 2015. The Court rejected a North-South configuration of the district that ran from Jacksonville to Orlando because it concluded that such configuration had been unconstitutionally tainted by improper partisan influences. *League of Women Voters of Fla. v. Detzner*, 172 So. 3d 363, 403 (Fla. 2015) ("*Apportionment VII*"). The Court further held that the North-South version was not "necessary to avoid diminishing the ability of black voters to elect a candidate of their choice." *Id.* Consequently, the Court adopted the current East-West version. *Id.* at 405-06. While acknowledging that the new configuration was not a "model of compactness," *id.* at 406 (internal quotation marks omitted), the Court determined that it would not "diminish the ability of black voters to elect a candidate of their choice." *Id.* at 405. The Court explained that the non-compact shape was necessary because of "geography" and "other constitutional requirements such as ensuring that the apportionment plan does not deny the equal opportunity of racial or language minorities to participate in the political process or diminish their ability to elect representatives of their choice." *Id.* at 406 (citation omitted). Thus, it is clear that race considerations predominated in the drawing of the current district. And because the proposed reapportionment plan seeks to retain the district in large measure to avoid diminishment of minority voting power, race considerations likewise predominate in the creation of proposed Congressional District 3.

Third, it is obvious, given the location of minority neighborhoods and precincts, that district lines in both Jacksonville and Tallahassee were drawn specifically to capture minority populations and to combine them into one district. But according to the U.S. Supreme Court, "[a] reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who may have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid." *Shaw*, 509 U.S. at 647. By attempting to connect a minority population in Jacksonville with a faraway minority population in Tallahassee and surrounding areas, proposed Congressional District 3 does precisely what the U.S. Supreme Court has condemned.

Because it subordinates traditional districting criteria to avoid diminishment of minority voting power, Congressional District 3 is a racial gerrymander that can survive constitutional challenge only if the Legislature can prove that "its race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Cooper*, 137 S. Ct. at 1464 (citation omitted). The Legislature cannot meet that exacting burden here.

The U.S. Supreme Court has long assumed, without definitively deciding, that complying with the Voting Rights Act ("VRA") is a compelling interest. *Id.* at 1464, 1469. In this case,

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however, there is no good reason to believe that the VRA requires Congressional District 3. According to the U.S. Supreme Court in *Bartlett v. Strickland*, 556 U.S. 1, 26 (2009) (plurality), Section 2 is satisfied only when a compact majority of minority citizens can be drawn into a single district. But there is no configuration in any proposal put forward in any public map that we are aware of that has created a majority-minority district in northern Florida.

As both the U.S. Supreme Court and the Florida Supreme Court have noted, Section 2 prohibits the dilution of minority votes where a minority group is "sufficiently large and geographically compact to constitute a majority in some reasonably configured legislative district." *Cooper*, 137 S. Ct. at 1470 (internal quotation marks omitted); *see also Thornburg v. Gingles*, 478 U.S. 30, 50 (1986); *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 622-23 (Fla. 2012) ("*Apportionment I*"). Congressional District 3 is not a reasonably configured district, and in any event, it does not contain a minority group that is sufficiently large and geographically compact to constitute a majority.

Nor does Section 5 of the VRA require Congressional District 3. Before the U.S. Supreme Court invalidated the VRA's coverage formula in *Shelby County v. Holder*, 570 U.S. 529, 553-57 (2013), the State of Florida was not a covered jurisdiction under Section 5, but five Florida counties were: Collier, Hardee, Hendry, Hillsborough, and Monroe. None of those counties are in Congressional District 3. Moreover, even assuming that compliance with the VRA is a compelling interest, it is doubtful that "continued compliance with [Section] 5 remains a compelling interest" in light of "*Shelby County v. Holder*." *Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 276 (2015).

Finally, the U.S. Supreme Court has never held that compliance with a state non-diminishment requirement is a compelling interest sufficient to withstand strict scrutiny under the Fourteenth Amendment's Equal Protection Clause. That is especially so where the state race-based requirement lacks a strong basis in evidence. To the extent that Article III, Section 20(a)'s non-diminishment provision parallels Section 5 of the VRA, *see Apportionment I*, 83 So. 3d at 619-20, it should be noted that Congress compiled in 1965 an extensive record of racial discrimination in state electoral processes to justify Section 4 and 5's "strong medicine" and "extraordinary measures to address an extraordinary problem." *Shelby County*, 570 U.S. at 534-35; *see also South Carolina v. Katzenbach*, 383 U.S. 301, 329-34 (1966). When Florida voters approved Article III, Section 20(a), by contrast, they did not have before them a similar record of pervasive, flagrant, widespread, or rampant discrimination.

In any event, the non-diminishment provision of the Florida Constitution simply does not require Congressional District 3. Article III, Section 20(a) of the Florida Constitution provides that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." This section contains two relevant provisions: the first is the non-vote-dilution provision ("districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process"), and the second is the non-diminishment provision ("districts shall not be drawn . . . to diminish their ability to elect representatives of their choice"). The

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Florida Supreme Court has held that the non-vote-dilution provision mirrors Section 2 of the VRA. *Apportionment I*, 83 So. 3d at 619-23.

When Article III, Section 20(a) is read in this context, it becomes apparent that the group referenced in the latter non-diminishment provision is the very same group of "racial or language minorities" referenced in the former non-vote-dilution provision. The word "their" in the non-diminishment provision necessarily refers back to the "racial or language minorities" in the non-vote-dilution provision. Because the non-vote-dilution provision mirrors Section 2 of the VRA, and because Section 2 only applies to districts that contain a minority group that is sufficiently large and geographically compact to constitute a majority, the non-diminishment provision should also apply to those kinds of districts. Because Congressional District 3 does not contain a minority group that is sufficiently large and geographically compact to constitute a majority, Article III, Section 20(a)'s non-diminishment provision does not apply.

With this reading, both the non-vote-dilution provision and the non-diminishment provision work in tandem. The non-vote-dilution provision allows minority groups to form geographically compact districts where appropriate. *See Gingles*, 478 U.S. at 50-51 (requiring, additionally, political cohesion of the minority group and bloc voting of the majority group). The non-diminishment provision allows minority groups to maintain those districts where appropriate. *See Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 477-80 (1997). In other words, the non-vote-dilution provision goes into effect when a reasonably cohesive district *could be formed*, and the non-diminishment provision goes into effect *once the district has been formed*.

This reading of Article III, Section 20(a)'s non-diminishment provision to refer to "racial or language minorities" in the non-vote-dilution provision flows from the text of the Florida Constitution. It also gives the Florida Constitution the best chance to avoid the federal constitutional concerns raised above. *See Cooper*, 137 S. Ct. at 1463-64, 1482 (invalidating two North Carolina congressional districts).

In sum, I respectfully ask that you consider the foregoing legal objections to Congressional District 3. I also respectfully ask that you include in the legislative record Governor DeSantis' advisory opinion request to the Florida Supreme Court and the Governor's brief before the Florida Supreme Court.

Sincerely,

Ryan Newman
General Counsel

cc: Honorable Chris Sprowls
Speaker, Florida House of Representatives
400 South Monroe Street
Tallahassee, Florida 32399

AMERICAN OVERSIGHT

Filing # 143038402 E-Filed 02/01/2022 11:11:04 AM

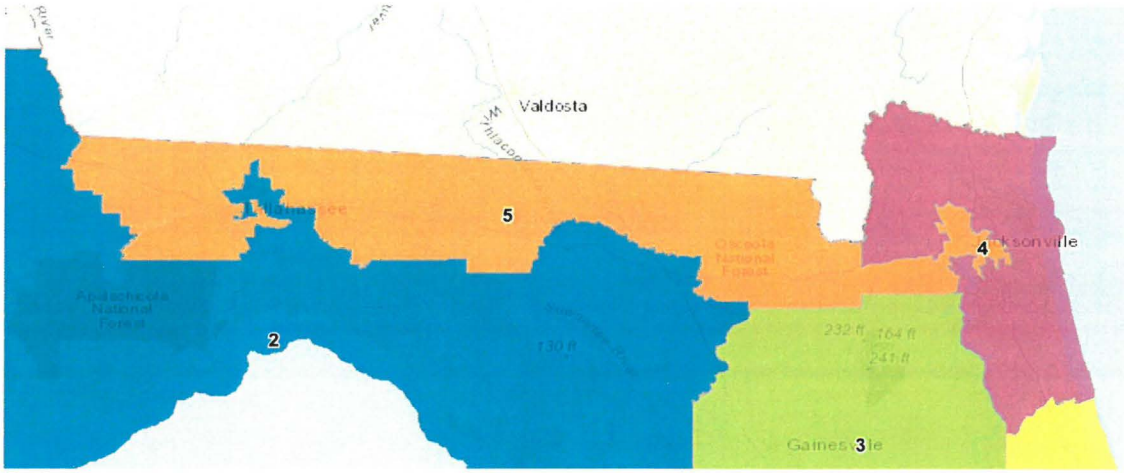
RON DESANTIS
GOVERNOR

February 1, 2022

Honorable Charles T. Canady
Chief Justice of the Florida Supreme Court
Florida Supreme Court, 500 S. Duval St.
Tallahassee, Florida 32399

Mr. Chief Justice and Justices of the Florida Supreme Court:

In the coming weeks, the Florida Legislature must present to me a bill that redraws Florida's congressional districts consistent with the most recent decennial census, *see* 2 U.S.C. §§ 2a–2c, and the one-person, one-vote requirement of the U.S. Constitution, *see Kirkpatrick v. Preisler*, 394 U.S. 526, 530–31 (1969). All maps that have been published by the Legislature and are currently under consideration retain, for the most part, the current Congressional District 5. The district stretches over 200 miles from East to West across eight counties without conforming to usual political or geographic boundaries, solely to connect a minority population center in Jacksonville with a separate and distinct minority population center in Leon and Gadsden Counties so that, together, these minority populations may elect a candidate of their choice. It is a narrow district that compresses to only three miles wide, North to South, when traversing a string of the northernmost precincts in Leon County so the district can connect with the minority population in western Leon County without including the non-minority population in eastern Leon County. Similarly, in Duval County, the district narrows to about a mile and a half in width. As of the 2020 Census, two counties, Duval to the East and Leon to the West, alone contribute 82.77% of the district's population. These counties are in two completely different regions of the State.



See FLSCOR, *Florida Congressional Districts 1982-2022*, ArcGIS Online, https://www.arcgis.com/home/item.html?id=db44457f19684fd99b19ce64f96ae787 (click "View") (last visited Feb. 1, 2022).

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000052

I seek this Court's opinion on whether Article III, Section 20(a) of the Florida Constitution requires the retention of a district in northern Florida that connects the minority population in Jacksonville with distant and distinct minority populations (either in Leon and Gadsden Counties or outside of Orlando) to ensure sufficient voting strength, even if not a majority, to elect a candidate of their choice.

This Court's constitutional power to render an advisory opinion is quite broad. Upon my request, this Court may opine as to "the interpretation of *any* portion of [the] constitution upon *any* question affecting the governor's executive powers and duties." Art. IV, § 1(c), Fla. Const. (emphasis added). The Florida Constitution provides that "[t]he supreme executive power shall be vested in a governor." Art. IV, § 1(a), Fla. Const. That executive power includes the "[e]xecutive approval and veto" power over bills the Florida Legislature presents to me, Art. III, § 8, Fla. Const.; the duty to "take care that the laws be faithfully executed," Art. IV, § 1(a), Fla. Const.; and the power of "direct supervision" over the "administration" of the Department of State, Art. IV, § 6, Fla. Const.; *see also* § 20.02(3), Fla. Stat. (providing that "[t]he administration of any executive branch department . . . placed under the direct supervision of an officer . . . appointed by and serving at the pleasure of the Governor shall remain at all times under the constitutional executive authority of the Governor"); § 20.10, Fla. Stat. (creating the Department of State, which is headed by the Secretary of State, who is appointed by and serves at the pleasure of the Governor).

Once presented with a congressional redistricting bill, I must decide whether to approve or veto it, and even if I take no action and the law goes into effect, I must nevertheless take care that the Constitution and laws of the State of Florida are faithfully executed. The Secretary of State, whom I direct and oversee, is the chief election officer of the State, § 97.012, Fla. Stat., and is responsible for, among many things, "[o]btain[ing] and maintain[ing] uniformity in the interpretation and implementation of the election laws," *id.* § 97.012(1), and certifying "the names of all duly qualified candidates for nomination or election who have qualified with the Department of State," § 99.061(6), Fla. Stat. The Department of State will also be responsible for defending any legal challenges to the new congressional redistricting map. In deciding whether to exercise my veto power once the Legislature's congressional redistricting bill is presented to me, and how best to faithfully implement the law if enacted, I now seek your "opinion . . . as to the interpretation of [a] portion of [the] constitution" that applies to the congressional redistricting process. Art. IV, § 1(c), Fla. Const. Such an opinion is both necessary and appropriate in this instance.

First, the once-in-a-decade congressional redistricting process is a unique circumstance: it is required by the U.S. Constitution, and it must be completed before upcoming congressional elections. With the qualifying period for election to the U.S. House of Representatives quickly approaching, the voters and candidates have a pressing need for certainty regarding the meaning of the State's non-diminishment standard. *See* § 99.061(9), Fla. Stat.; https://dos.myflorida.com /elections/candidates-committees/qualifying/. In contrast, most legislation is neither constitutionally mandated nor of the sort where prolonged uncertainty regarding the meaning of such text may adversely affect the State's elections. *See League of Women Voters of Fla. v.*

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Detzner, 172 So. 3d 363, 372 (Fla. 2015) ("*Apportionment VII*") ("We emphasize the time-sensitive nature of these proceedings, with candidate qualifying for the 2016 congressional elections now less than a year away . . . ."). I make my request in the spirit of seeking as much guidance as possible from you consistent with "[t]his Court['s] . . . obligation to provide certainty to candidates and voters regarding the legality of the state's congressional districts." *League of Women Voters of Fla. v. Detzner*, 179 So. 3d 258, 262 (Fla. 2015) ("*Apportionment VIII*") (citation and internal quotation marks omitted).

Second, I am aware that on one occasion well over a century ago, the members of this Court declined to opine on a constitutional question in aid of my predecessor's exercise of the veto power. *See In re Exec. Commc'n*, 6 So. 925 (Fla. 1887). Notwithstanding that the Florida Constitution assigns to the Executive the power to approve or veto legislation, *see* Art. III, § 8, Fla. Const., this Court concluded that "any act which is an essential prerequisite" to the enactment of a law "is legislative" and is performed by the Executive "as a part of the lawmaking power." *In re Exec. Commc'n*, 6 So. at 925. This reasoning, which you are not bound to follow, *see In re Advisory Opinion of Governor Civil Rights*, 306 So. 2d 520, 523 (Fla. 1975), conflicts with the separation of powers enshrined in Article II, Section 3 of the Florida Constitution, and I respectfully request that you give the 1887 response no weight.

In particular, the Florida Constitution vests the State's legislative power in the Florida Legislature. *See* Art. III, § 1, Fla. Const. It follows, therefore, that the Governor's exercise of what the Constitution characterizes as the power of "[e]xecutive approval and veto," Art. III, § 8, Fla. Const., is not a legislative power. Rather, the veto power is an executive check on the legislative power; "[e]ach branch of the government necessarily at times, either by express provision of the Constitution or in the orderly administration of the state's affairs, comes in contact with one or the other branch, but such contact in n[o]wise merges the functions of one into that of the other." *Amos v. Gunn*, 94 So. 615, 627–28 (Fla. 1922) (Ellis, J., on pet. for reh'g). This Court's more recent opinions thus acknowledge that the exercise of the veto is an executive power.[1]

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[1] *See, e.g.*, *Chiles v. Child. A, B, C, D, E, & F*, 589 So. 2d 260, 264 (Fla. 1991) ("Article III, section 8 sets forth the procedure for the executive power to approve or veto legislation of both nonappropriations and appropriations bills."); *Brown v. Firestone*, 382 So. 2d 654, 672 (Fla. 1980) ("We hold further that the vetoes identified herein as 2, 4, 5 and 6 are valid as being within the purview of the executive power granted by article III, section 8(a)[.]"); *Owens v. State*, 316 So. 2d 537, 538 n.4 (Fla. 1975) ("Although article IV of the constitution deals with the executive branch, the placement of a legislative power in one subsection of that article does not render the delegated power nugatory. The placement is functional, as with executive powers conferred in the judicial article (art. V, [§] 11) and in the legislative article (art. III, [§] 8)."); *In re Advisory Opinion to the Governor*, 239 So. 2d 1, 9 (Fla. 1970) ("The Legislature may not validly so draft a general appropriations bill as to unduly and unreasonably preclude the exercise of the executive power to 'veto any specific appropriation in a general appropriation bill.'" (quoting Art. III, § 8(a), Fla. Const.)); *see also Green v. Rawls*, 122 So. 2d 10, 13 (Fla. 1960) ("[U]nder our tripartite division of the powers of government, and the checks and balances designed to be accomplished thereby, the chief executive must have the power and the opportunity to veto

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Third, the question affecting my executive powers and duties concerns Article III, Section 20(a) of the Florida Constitution, which provides that:

> No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process *or to diminish their ability to elect representatives of their choice*; and districts shall consist of contiguous territory.

Art. III, § 20(a), Fla. Const. (emphasis added). I limit my request to the phrase "diminish their ability to elect representatives of their choice"—the State's non-diminishment standard. Except where it may be necessary to inform your interpretation of the Florida Constitution, I do not ask for your opinion on any issues of federal law. *Cf. In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 620-21 (Fla. 2012) ("*Apportionment I*") (recognizing that the non-diminishment standard borrows from § 5 of the Voting Rights Act but "nonetheless recogniz[ing] our independent constitutional obligation to interpret our own state constitutional provisions").

Specifically, I ask whether the Florida Constitution's non-diminishment standard mandates a sprawling congressional district in northern Florida that stretches hundreds of miles from East to West solely to connect black voters in Jacksonville with black voters in Gadsden and Leon Counties (with few in between) so that they may elect candidates of their choice, even without a majority. This Court has previously suggested that the answer is "yes." *Apportionment VIII*, 179 So. 3d at 271 ("Although District 5 was required to be drawn from East to West, no specific configuration was mandated in *Apportionment VII*," and this Court did not "specify a certain Black Voting Age Population (BVAP) or black share of registered Democrats as a 'floor' below which the ability of black voters to elect a candidate of choice was certain to be diminished.").

In 2015, this Court rejected a North-South configuration of the district that ran from Jacksonville to Orlando. The Court held that the North-South version had been unconstitutionally tainted by partisan and other improper influences and that such a configuration was not "necessary to avoid diminishing the ability of black voters to elect a candidate of their choice." *Apportionment VII*, 172 So. 3d at 403. Consequently, the Court adopted the East-West configuration that exists today. *Id.* at 405–06. In so doing, this Court acknowledged that this configuration was not a "model of compactness," *id.* at 406 (internal quotation marks omitted), but nevertheless concluded that it was "visually less 'unusual' and 'bizarre' than the meandering North-South version," *id.*, and that it would not "diminish the ability of black voters to elect a candidate of their choice," *id.* at 405. This Court indicated that the non-compact shape of the East-West district was nevertheless necessary because of "geography" and "other constitutional

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legislative action, subject to the power of the legislature to override the executive veto by the vote of a specified number of the legislature.").

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requirements such as ensuring that the apportionment plan does not deny the equal opportunity of racial or language minorities to participate in the political process or diminish their ability to elect representatives of their choice." *Id.* at 406 (citation omitted).

This Court's prior guidance, however, pre-dates relevant decisions from the U.S. Supreme Court. In 2017, the U.S. Supreme Court made clear that where "racial considerations predominate[] over others, the design of the district must withstand strict scrutiny." *Cooper v. Harris*, 137 S. Ct. 1455, 1464 (2017). To satisfy this test, and thus pass muster under the Fourteenth Amendment to the U.S. Constitution, a state must "prove that its race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end." *Id.* (citations omitted). While the U.S. Supreme Court "has long assumed that one compelling interest is complying with operative provisions of the Voting Rights Act," a state must show "that it had 'a strong basis in evidence'" to conclude that the Act required race-based sorting of voters. *Id.* (citation omitted). In *Cooper*, North Carolina did not meet its burden when arguing that compliance with § 2 of the Voting Rights Act served as a compelling reason. *Id.* at 1469–72. Specifically, North Carolina could not satisfy § 2's threshold conditions: (1) that the "minority group" was "sufficiently large and geographically compact to constitute a majority" in a reasonably compact legislative district, (2) that the minority group was "politically cohesive," and (3) that the district's majority group voted "sufficiently as a bloc" to "defeat the minority's preferred candidate." *Id.* at 1470 (quoting *Thornburg v. Gingles*, 478 U.S. 30, 50–51 (1986)).

If this Court advises that the non-diminishment standard does not specifically require that an East-West district be drawn to connect minority voters in Jacksonville with minority voters in Leon and Gadsden Counties, I nevertheless request guidance on what the non-diminishment standard does require. Specifically, I ask whether the Florida Constitution's non-diminishment standard requires that congressional districts be drawn to connect minority populations from distant and distinct geographic areas if doing so would provide the assembled minority group sufficient voting strength (although not a majority of the proposed district) to elect a candidate of its choice. Or, conversely, does the non-diminishment standard merely require that a minority population in a reasonably cohesive geographic area, where the population is not a majority but is nevertheless large enough to elect candidates of its choice, continue to be able to elect such candidates?

Relatedly, to make sense of the non-diminishment standard, I ask for clarification from this Court on what constitutes a proper benchmark for determining whether a minority group's ability to elect a candidate of its choice has been diminished. This Court has said that the "existing plan of a covered jurisdiction serves as the 'benchmark' against which the 'effect' of voting changes is measured.'" *Apportionment I*, 83 So. 3d at 624 (citation omitted). But is that so even if the district in the existing plan was designed solely to cobble together enough minority voters from distant and distinct geographic areas to elect candidates of their choice despite not constituting a majority? Or must the benchmark be confined to the minority population in a reasonably cohesive geographic area?

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FL-GOV-22-0226, 20-0378-A-000056

Florida's non-diminishment standard—like the Voting Rights Act's non-diminishment standard—is a potent, race-based solution to a race-based problem. I ask for your opinion to help me be sufficiently conscious of race to comply with the Florida Constitution's anti-diminishment provision but avoid being so conscious of race that my actions could violate the U.S. and Florida Constitutions.

Because the U.S. Supreme Court's decisions inform, but do not definitively resolve, issues of state law, I ask for you to exercise your "independent constitutional obligation" to interpret Florida law, *id.* at 621, and to guide me in exercising my executive powers as Governor. *See* Art. III, § 8, Fla. Const.; Art. IV, § 1(a), Fla. Const. I respectfully request your assistance as expeditiously as possible given that March 11, 2022, is the last day of the legislative session and candidates for the U.S. House of Representatives will need to qualify under a new map in June.

Thank you for your consideration.

Respectfully submitted,

Ron DeSantis
Governor of Florida

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In the Supreme Court of Florida

CASE NO. SC22-139

ADVISORY OPINION TO THE GOVERNOR RE: WHETHER ARTICLE III, SECTION 20(A) OF THE FLORIDA CONSTITUTION REQUIRES THE RETENTION OF A DISTRICT IN NORTHERN FLORIDA, ETC.

BRIEF OF RON DESANTIS, GOVERNOR OF FLORIDA

Ryan Newman (FBN 1031451)
General Counsel
Joshua Pratt (FBN 119347)
Deputy General Counsel
Nicholas Meros (FBN 120270)
Deputy General Counsel
EXECUTIVE OFFICE OF THE GOVERNOR
400 S Monroe St
Tallahassee, FL 32399
(850) 717-9310
ryan.newman@eog.myflorida.com
joshua.pratt@eog.myflorida.com
nicholas.meros@eog.myflorida.com

Mohammad Jazil (FBN 72556)
Michael Beato (FBN 1017715)
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
119 S Monroe St Ste 500
Tallahassee, FL 32301
(850) 270-5938
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com

Jason Torchinsky*
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
2300 N Street NW
Washington, DC 20037
(202) 737-8808
jtorchinsky@holtzmanvogel.com
**pro hac vice motion forthcoming*

Counsel for Governor Ron DeSantis

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ARGUMENT

This Court has jurisdiction to advise on the interpretation of the following phrase: "*districts shall not be drawn* with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or *to diminish their ability to elect representatives of their choice*." Art. III, § 20(a), Fla. Const. (emphasis added). Section 20(a)'s non-diminishment provision affects several of the Governor's executive powers and duties, namely his power to veto the congressional map presented to him, art. III, § 8, Fla. Const.; his duty to take care that the laws are faithfully executed, art. IV, § 1(a), Fla. Const.; and his power to directly supervise his Secretary of State in the administration of elections, art. IV, § 6, Fla. Const. Section 20(a)'s text is less than clear. There is a textual interpretation of this section, however, that avoids serious concerns under the U.S. Constitution. An advisory opinion confirming that interpretation would help the Governor ensure that the redrawing of congressional boundaries, which must occur every ten years, does not violate the Florida or U.S. Constitutions and is completed in a timely way to provide certainty

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to candidates and voters before the qualifying period begins in June.[1] Unlike most other legislation, redistricting is not discretionary and must be completed in short order before the electoral process commences. The unique demands of redistricting justify the Court's exercise of jurisdiction.

I. THIS COURT HAS JURISDICTION TO PROVIDE AN ADVISORY OPINION TO THE GOVERNOR.

Article IV, section 1(c) of the Florida Constitution allows this Court to render an advisory opinion to the Governor concerning "the interpretation of any portion of th[e] constitution" that "affect[s]" his "executive powers and duties." The interpretation of section 20(a) informs, and thus affects, how the Governor will exercise his executive powers and duties with respect to congressional redistricting legislation. Specifically, when the Florida Legislature presents to the Governor a bill that redraws Florida's congressional districts, which it must under federal law, the Governor can veto the bill, approve the bill, or take no action. A veto nullifies the bill. Approval or inaction allows the bill to become law, at which point the

[1] *See* Qualifying Information, Fla. Div. of Elections, https://dos.myflorida.com/elections/candidates-committees/qualifying (last visited February 7, 2022).

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Governor must "take care that the laws [are] faithfully executed," art. IV, § 1(a), Fla. Const., and "direct[ly] supervis[e]" his "administration," particularly his Secretary of State, in carrying out the law, art. IV, § 6, Fla. Const. These executive powers and duties satisfy the jurisdictional prerequisites.

A. The Veto Is an Executive Power.

Article III, section 8 expressly vests the Governor with the "[*e*]*xecutive* approval and *veto*" power. (Emphasis added.) If the Governor believes that a bill is "contrary to the public interest," including that it is unconstitutional, he may veto the bill. *Brown v. Firestone*, 382 So. 2d 654, 664 (Fla. 1980). The exercise of that executive power to affect legislation does not convert it into a lawmaking power any more than the judiciary's exercise of judicial review converts the judicial power into a lawmaking power.

The Florida Constitution's structure underscores that the veto is an executive power. The Florida Constitution vests "[t]he legislative power of the state" in the Florida Legislature, art. III, § 1, Fla. Const.; "[t]he supreme executive power" in the Governor, art. IV, § 1(a), Fla. Const.; and "[t]he judicial power" in the state judiciary, art. V, § 1, Fla. Const. "No person belonging to one branch shall exercise any

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powers appertaining to either of the other branches unless expressly provided herein." Art. II, § 3, Fla. Const. This separation of powers erects "high walls and clear distinctions" between each branch of government. *Plaut v. Spendthrift Farm*, 514 U.S. 211, 239 (1995).

The high walls separating executive and legislative powers are apparent in the lawmaking process. The Florida Constitution gives specific, precise powers to the legislative and executive branches with respect to the lawmaking process. As this Court has noted, "[a]rticle III, sections 1 and 7 assign to the legislature the responsibility for passage of all bills into law, regardless of their subject matter," and "[a]rticle III, section 8 sets forth the procedure for the executive power to approve or veto legislation." *Chiles v. Children A, B, C, D, E, & F*, 589 So. 2d 260, 264 (Fla. 1991). "These provisions" constitute the "constitutional allocation of the executive and legislative responsibilities concerning legislation generally." *Id.*

The Florida Constitution thus gives to the Governor the *executive* power in the legislative sphere, and that executive power includes the veto. *See id.* ("Article III, section 8 sets forth the procedure for the *executive power* to approve or *veto legislation of* both *nonappropriations* and appropriations *bills*." (emphasis added));

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Brown, 382 So. 2d at 672 ("We hold further that *the vetoes* identified herein as 2, 4, 5 and 6 a*re valid as being within the purview of the executive power* granted by article III, section 8(a)." (emphasis added)); *Owens v. State*, 316 So. 2d 537, 538 n.4 (Fla. 1975) ("Although article IV of the constitution deals with the executive branch, the placement of a legislative power in one subsection of that article does not render the delegated power nugatory" because "[t]he placement is functional, as with executive powers conferred in the judicial article . . . and in the legislative article.").

The veto is a "negative power, the power to nullify, or at least suspend, legislative intent." *Brown*, 382 So. 2d at 664. It is the "[p]rimary . . . executive check[] on unfettered legislative power" and gives the Governor a "stronger bargaining position from which to seek revision or amendment of bills" and a means to "counteract legislative action which he considers to be contrary to the public interest." *Id.* As such, in the lawmaking process, "the constitutional authority of the legislative department is in part delimited by the scope of executive authority"—as exercised by the veto power. *Id.* at 663.

By contrast, the Legislature does not have the power to veto bills—it has the power to bicamerally "pass" and "present" them, and

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to "re-enact" a vetoed bill by supermajority vote. *See* art. III, §§ 7–8, Fla. Const. So it cannot be said that in exercising the power to "veto" a bill that the Governor is exercising a power that otherwise belongs to the Legislature. It is quintessentially an executive power.

Only when the Governor exceeds his veto power by effectively amending legislative text (as opposed to nullifying it) does the Governor improperly intrude on the legislative power. For example, in the line-item-veto context, this Court has held that a Governor unconstitutionally engages in legislative action when he reduces or modifies an appropriation. *See Brown*, 382 So. 2d at 666; *Fla. House of Representatives v. Martinez*, 555 So. 2d 839, 844 (Fla. 1990).

In sum, the Governor's exercise of the veto power to affect the lawmaking process does not make the veto a legislative power. As Justice Ellis explained in 1922, "[e]ach branch of the government necessarily . . . comes in contact with one or the other branch, but such contact in n[o]wise merges the functions of one into that of the other." *Amos v. Gunn*, 94 So. 615, 627–28 (Fla. 1922). If that were so, then it follows that a "court acts in a legislative capacity when it

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declares an act of the legislature to be unconstitutional." *Id.* Because the veto is an executive power, this Court has jurisdiction.[2]

B. The Governor's Other Executive Powers and Duties Also Support Jurisdiction.

If the Governor approves or takes no action on the Florida Legislature's redrawn districts, the districts become law, and the Governor must "take care that the laws [are] faithfully executed," art. IV, § 1(a), Fla. Const., and in so doing, must "direct[ly] supervis[e]" his "administration," namely the Secretary of State, art. IV, § 6, Fla. Const. In *Advisory Opinion to the Governor Re: Implementation of Amendment 4*, this Court explained that the "Governor's question about the meaning of Amendment 4," the Florida Constitution's voting restoration amendment, "affect[ed]" his "take care" duties and

[2] In 1887, this Court declined to issue an advisory opinion on a former Governor's use of the veto power. *See In re Exec. Commc'n*, 6 So. 925 (Fla. 1887). This Court concluded that it could not render an advisory opinion because it considered the veto to be a legislative power. *Id.* This Court is not required to follow its advisory opinions, *see In re Advisory Op. of Governor Civil Rights*, 306 So. 2d 520, 523 (Fla. 1975), and for all the reasons explained, this Court should give little weight to the 1887 response. In fact, fifty years later, a "majority of th[is] Court" stated that it was "of the opinion that the duty imposed on the Governor" to veto legislation "is executive rather than legislative as may be presumed from dicta in *In Re Executive Communication*." *Advisory Opinion to the Governor*, 12 So. 2d 583, 584 (Fla. 1943).

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his "duty to provide the Department of State with necessary direction regarding the implementation of voter registration laws." 288 So. 3d 1070, 1076 (Fla. 2020). So too here.

Section 20(a)'s non-diminishment provision affects the Governor's take care duties and his duty to provide the Secretary of State with necessary direction regarding the implementation of redistricting maps. The Secretary, of course, serves at the pleasure of the Governor. *See* §§ 20.02(3), 20.10, Fla. Stat. As the "chief election officer of the state," § 97.012, Fla. Stat., the Secretary must administer future elections under any new congressional map. To administer such elections, among other things, the Secretary must "[o]btain and maintain uniformity in the interpretation and implementation of the election laws," *id.* § 97.012(1), and must certify "the names of all duly qualified candidates for nomination or election who have qualified with the Department of State," including congressional candidates, § 99.061(6), Fla. Stat.

II. THIS COURT SHOULD EXERCISE ITS DISCRETION TO ISSUE AN ADVISORY OPINION.

This Court should exercise its discretionary jurisdiction because of its "obligation to provide certainty to candidates and

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voters regarding the legality of the state's congressional districts." *League of Women Voters of Fla. v. Detzner*, 179 So. 3d 258, 262 (Fla. 2015) ("*Apportionment VIII*") (citations omitted). Unlike most other legislation, the State must create new congressional maps. *See Kirkpatrick v. Preisler*, 394 U.S. 526, 530–31 (1969); 2 U.S.C. §§ 2a–2c. The process must also be completed before the candidate qualifying period begins. The redistricting process should therefore proceed under a correct understanding of the law. The failure to do so could result in confusion and chaos in the administration of the state's congressional elections. To avoid that result, a timely advisory opinion on this matter of great public importance is both necessary and appropriate. *Apportionment VIII*, 179 So. 3d at 262; *see also In re Advisory Op. to Governor Request of June 29, 1979*, 374 So. 2d 959, 962 (Fla. 1979) (providing opinion to prevent the "confusion surrounding [an] important enactment").

The Governor does not seek the Court's opinion on the constitutionality of any proposed legislation or map. To the contrary, the Governor requests guidance on the meaning of section 20(a)'s minority-voting-protection provision, including whether it requires a district in northern Florida that stretches hundreds of miles to

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connect a black population in Jacksonville with a black population in Gadsden and Leon Counties so that they can elect a candidate of their choice, even though not a majority.

Section 20(a) can be broken into two parts with brackets added for the sake of clarity:

> districts shall not be drawn **[**with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process**]** or **[**to diminish their ability to elect representatives of their choice.**]**

Art. III, § 20(a), Fla. Const. The first bracketed clause contains the "non-vote-dilution provision," and the second contains the "non-diminishment provision." This Court has explained that section 20(a)'s non-vote-dilution provision mirrors § 2 of the Voting Rights Act and should be interpreted consistent with § 2 case law, and that section 20(a)'s non-diminishment provision mirrors § 5 of the Voting Rights Act and should be interpreted consistent with § 5 case law. *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 619–27 (Fla. 2012) ("*Apportionment I*").

Still, section 20(a)'s vote-diminishment provision remains unclear. The text neither says what "diminish" means nor does it

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clarify whose "ability to elect representatives of their choice" is protected from diminishment. The dictionary defines "diminish" as "to make less or cause to appear less," *id.* at 702 (Canady, J., concurring in part and dissenting in part) (quoting *Diminish*, Webster's Third International Dictionary (1993)). But make less than what? Measured how? And if the previous congressional map serves as a baseline, *id.* at 624, must that baseline itself be constitutionally valid before the vote-diminishment standard applies?

Untangling these questions must begin with the text and, more specifically, the phrase "ability to elect representatives of *their* choice." The word "their," as used in section 20(a), refers back to "racial or language minorities" in section 20(a)'s non-vote-dilution provision—the first bracketed clause. Cases construing § 2 of the Voting Rights Act inform any understanding of the first clause, *id.* at 619–24, and the federal cases make clear that § 2 of the Voting Rights Act applies only to "a minority group" that is "sufficiently large and geographically compact to constitute a majority" in some reasonably configured legislative district. *Thornburg v. Gingles*, 478 U.S. 30, 50

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(1986).[3] Taken together, "their" must then mean "racial or language minorities" within a reasonably cohesive geographic area. *See id.* It follows that under section 20(a)'s non-diminishment provision—the second bracketed clause—districts cannot be drawn to diminish racial or language minorities' ability to elect representatives of these geographically cohesive districts.

By giving meaning to section 20(a)'s text, we seek confirmation that such a reading comports with the rules of construction this Court now uses.[4] Among other things, we seek confirmation that the Governor's understanding of the word "their" comports with the harmonious-reading canon. Per the Governor's reading of Section 20(a), the non-vote-dilution provision allows minority groups to form

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[3] In particular, this Court has explained that section 20(a)'s non-vote-dilution provision matches § 2 of the Voting Rights Act, *Apportionment I*, 83 So. 3d at 619–24, and § 2 claims are only applicable to districts where (1) the "minority group" is "sufficiently large and geographically compact to constitute a majority," (2) the minority group is "politically cohesive," and (3) the majority "votes sufficiently as a bloc." *Gingles*, 478 U.S. at 50–51.

[4] *See Levy v. Levy*, 326 So. 3d 678, 681 (Fla. 2021) (stating that the "words of a governing text are of paramount concern, and what they convey, in their context, is what the text means." (cleaned up)); Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 56, 167 (2012).

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geographically compact districts where appropriate consistent with two other preconditions (political cohesion of the minority group and bloc voting of the majority group). *See Gingles*, 478 at 50–51. The non-diminishment provision allows minority groups to maintain those districts where appropriate. *See Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 477–80 (1997) (explaining the difference between § 2 and § 5 of the Voting Rights Act). Florida's non-vote-dilution provision therefore goes into effect when a reasonably cohesive district *could be formed*, and the non-diminishment provision goes into effect *once the district has been formed*.

But this Court has never squarely addressed whether the word "their" constrains the universe of districts to which the non-diminishment provision applies. *Apportionment I*, 83 So. 3d at 625.[5] That failure raises serious concerns under the U.S. Constitution.

[5] Giving effect to the word "their" would also be consistent with this Court's prior redistricting cases. The cases note that "[e]very word of the Florida Constitution should be given its intended meaning and effect." *Apportionment I*, 83 So. 3d at 614 (referencing *In re Apportionment Law–1972*, 263 So. 2d 797, 807 (Fla. 1972)). And the cases even suggest that the *Gingles* preconditions have some import for the second bracketed clause in section 20(a)—the non-diminishment provision. *See Apportionment VIII*, 179 So. 3d at 286 n.11 ("The *Gingles* preconditions are relevant not only to a Section 2

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Decided after this Court's decisions in *Apportionments I-VIII*, the U.S. Supreme Court recently held that a "State may not use race as the predominant factor in drawing district lines" unless the State first proves "that its race-based sorting of voters serves a compelling interest and is narrowly tailored to that end." *Cooper v. Harris*, 137 S. Ct. 1455, 1463–64 (2017) (cleaned up). This showing of compelling interest and narrow tailoring must find a "strong basis in evidence." *Id.* After all, governmental actions based on race are presumptively unconstitutional. *See id.*; *Parents Involved in Cmty. Schs. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 720 (2007).

Reading section 20(a)'s non-diminishment provision as applying only to minorities groups in geographically cohesive districts in section 20(a)'s non-vote-dilution provision would avoid significant concerns under the U.S. Constitution and would give Florida's congressional maps the best chance of surviving strict scrutiny. As in *Cooper*, such a reading would find a tether in the first *Gingles* factor, which is used for purposes of § 2 of the Voting Rights Act, and

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vote dilution analysis, but also to a Section 5 diminishment analysis.").

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the U.S. Supreme Court has assumed that compliance with § 2 would satisfy strict scrutiny. *See Cooper*, 137 S. Ct. at 1469–72.

Any reading of state law should avoid conflicts with the U.S. Constitution. Florida courts, including this Court, utilize the well-established doctrine of constitutional avoidance: "when two constructions" of state law "are possible, one of which is of questionable constitutionality," the law "must be construed so as to avoid any violation of" the "Florida and *the United States Constitutions*." *State v. Presidential Women's Ctr.*, 937 So. 2d 114, 116, 120 (Fla. 2006) (quoting *Indus. Fire & Cas. Ins. Co. v. Kwechin*, 447 So. 2d 1337, 1339 (Fla. 1983)) (emphasis added).

In light of the constitutional text and relevant interpretive canon, the best reading of section 20(a)'s non-diminishment standard is that it prevents diminishment of a reasonably cohesive racial or language minority's population. Confirming this interpretation now in an advisory opinion will avoid potential confusion and chaos later.

III. CONCLUSION.

For the foregoing reasons, this Court should provide the requested advisory opinion to the Governor.

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Respectfully submitted on this 7th day of February, 2022.

/s/ Mohammad Jazil

Ryan Newman (FBN 1031451)
General Counsel
Joshua Pratt (FBN 119347)
Deputy General Counsel
Nicholas Meros (FBN 120270)
Deputy General Counsel
EXECUTIVE OFFICE OF THE GOVERNOR
400 S Monroe St
Tallahassee, FL 32399-0001
(850) 717-9310
ryan.newman@eog.myflorida.com
joshua.pratt@eog.myflorida.com
nicholas.meros@eog.myflorida.com

Mohammad Jazil (FBN 72556)
Michael Beato (FBN 1017715)
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
119 S Monroe St Ste 500
Tallahassee, FL 32301-1591
(850) 270-5938
mjazil@holtzmanvogel.com
mbeato@holtzmanvogel.com

Jason Torchinsky (Va. BN 47481)*
HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC
2300 N Street NW
Washington, DC 20037
jtorchinsky@holtzmanvogel.com

Counsel for Governor Ron DeSantis

*pro hac vice motion forthcoming

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 7, 2022, undersigned electronically filed this Brief on Jurisdiction with the Florida Supreme Court using the Florida Courts E-filing Portal. The foregoing documents have been furnished on all parties required to be served.

/s/ Mohammad Jazil
Mohammad Jazil (FBN 72556)

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CERTIFICATE OF COMPLIANCE

I CERTIFY that this brief complies with the font requirements of Florida Rules of Appellate Procedure 9.045(b) and this Court's February 2, 2022 order. This brief is 15 pages long and contains 3,476 words as counted by Word, excluding the parts of the brief exempted by Florida Rule of Appellate Procedure 9.210(a)(2)(E).

/s/ Mohammad Jazil
Mohammad Jazil (FBN 72556)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 11:55:00 AM
Attachments: 4.19.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bill today:

SB 7044 – Postsecondary Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 19, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 7044 – Postsecondary Education

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 19 AM 11:33
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

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FL-GOV-22-0226, 20-0378-A-000083

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 5, 2022
Date: Tuesday, April 5, 2022 3:14:00 PM

The Governor received the following bills today:

AMERICAN OVERSIGHT

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
CS/HB 469 - Patient Care in Health Care Facilities
CS/CS/HB 1239 - Nursing Homes
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1209 - Administration of Vaccines
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
CS/CS/HB 921 – Campaign Financing
SB 312 – Telehealth
CS/SB 566 - Mental Health Professional Licensure
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
CS/CS/SB 768 - Department of Health
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 632 - Occupational Therapy
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1360 – Governor's Medal of Freedom
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 988 - In-person Visitation
CS/SB 292 - Newborn Screenings
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1262 - Mental Health and Substance Abuse
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program

The Governor has until April 20, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor

AMERICAN OVERSIGHT

850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 1, 2022
Date: Friday, April 1, 2022 4:57:00 PM
Attachments: 4.1.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 1, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 3 – Law Enforcement

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR -1 PM 4:36
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000089

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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"polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; 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"jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 8:30:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

SB 7044 – Postsecondary Education

The Governor has until May 4, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 2:40:00 PM
Attachments: 4.14.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 14, 2022

2022 APR 14 PM 2:15
FILED
DEPARTMENT OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 5 – Reducing Fetal and Infant Mortality

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000094

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 9:20:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

The Governor has until April 29, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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"Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 2:10:00 PM
Attachments: 4.12.22 Senate Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 12, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 7034 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 12 PM 1:21
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000099

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 8:47:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

The Governor has until April 27, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; 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Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; 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diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 3:29:00 PM
Attachments: 4.11.22 House Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 11, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

HB 7065 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 11 PM 3:13
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; 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"jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 9:51:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

The Governor has until April 26, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; 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clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 6, 2022
Date: Wednesday, April 6, 2022 7:26:00 PM
Attachments: 4.6.22 House Transmittal letter.pdf
4.6.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bills today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 - Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Finance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 – Nursing Homes
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
SB 236 – Children with Developmental Delays
CS/SB 292 – Newborn Screenings
SB 312 – Telehealth
SB 534 – Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 – Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
CS/SB 632 – Occupational Therapy
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 – In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 – Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 – Mental Health and Substance Abuse
CS/CS/SB 1950 – Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

AMERICAN OVERSIGHT

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:14
SECRETARY OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Financing
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 - Nursing Homes

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000110

CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:05
DEPARTMENT OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 236 – Children with Developmental Delays
CS/SB 292 - Newborn Screenings
SB 312 – Telehealth
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
CS/SB 632 - Occupational Therapy
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 - In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000112

CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 20, 2022
Date: Wednesday, April 20, 2022 4:10:00 PM
Attachments: 4.20.22 Senate Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/SB 768 – Department of Health

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 20, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/CS/SB 768 – Department of Health

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 20 AM 1:46
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000116

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

SB 98 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000119

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, February 10, 2022
Date: Thursday, February 10, 2022 5:11:47 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

The Governor has until February 17, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 10, 2022

Date: Thursday, February 10, 2022 5:11:47 PM

The Governor's Office received the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

SB 98 – Emergency Preparedness and Response Fund

The Governor has until February 17, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

SB 98 – Emergency Preparedness and Response Fund

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000126

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 11:18:00 AM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

SB 236 – Children with Developmental Delays
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 934 – Public Records
CS/SB 102 – Establishing the Congressional Districts of the State

The Governor has until April 13, 2022 to act on these bills.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 3:34:00 PM
Attachments: 3.28.22 House Transmittal Letter.pdf

The Governor's Office signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/HB 1557 – Parental Rights in Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 28, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/CS/HB 1557 – Parental Rights in Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 28 PM 3:02
OF STATE
EE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 12:27:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

HB 459 – Step-Therapy Protocols
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 855 – Managed Care Plan Performance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/CS/HB 1557 – Parental Rights in Education

The Governor has until April 12, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 25, 2022
Date: Friday, March 25, 2022 2:46:00 PM
Attachments: 3.25.22 House Transmittal Letter.pdf
3.25.22 Senate Transmittal Letter.pdf

The Governor's Office signed the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education
SB 418 – The Assistive Technology Advisory Council

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 25 PM 1:36
OF STATE
FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000136

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 418 – The Assistive Technology Advisory Council

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 25 PM 1:35
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 22, 2022
Date: Tuesday, March 22, 2022 12:43:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

The Governor has until April 6, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 21, 2022

Date: Monday, March 21, 2022 5:05:00 PM

The Governor's Office received the following bills today:

SB 418 – The Assistive Technology Advisory Council

AMERICAN OVERSIGHT

SB 1054 – Financial Literacy Instruction in Public Schools

The Governor has until April 5, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022

Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022
Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 1:29:00 PM
Attachments: 3.29.22 Senate.CSSB102.pdf
3.29.22 CSSB102.Legal Memo.pdf

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The Governor's Office Vetoed the following bill today:

CS/SB 102 – Establishing the Congressional Districts of the State

Please see the attached Veto Letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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RON DESANTIS
GOVERNOR

March 29, 2022

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OF STATE
SEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Constitution of Florida, I do hereby vetó and transmit my objection to **CS/SB 102**, enacted during the 124th Session of the Legislature of Florida, during Regular Session 2022 and entitled:

An act relating to establishing the congressional districts of the state

As presented in both the primary and secondary maps enacted by the Legislature, Congressional District 5 violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution for the reasons set forth in the attached memorandum. Although I understand the Legislature's desire to comply with the Florida Constitution, the Legislature is not absolved of its duty to comply with the U.S. Constitution. Where the U.S. and Florida Constitutions conflict, the U.S. Constitution must prevail.

Accordingly, I withhold my approval of **CS/SB 102** and do hereby veto the same.

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

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FL-GOV-22-0226, 20-0378-A-000148

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

RON DESANTIS
GOVERNOR

MEMORANDUM

To: Ron DeSantis, Governor of Florida

From: Ryan Newman, General Counsel, Executive Office of the Governor RDN

Date: March 29, 2022

Re: Constitutionality of CS/SB 102, An Act Relating to Establishing the Congressional Districts of the State

Congressional District 5 in both the primary and secondary maps enacted by the Legislature violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest.

"Just as the State may not, absent extraordinary justification, segregate citizens on the basis of race in its public parks, buses, golf courses, beaches, and schools," the U.S. Supreme Court has made clear that the State also "may not separate its citizens into different voting districts on the basis of race." *Miller v. Johnson*, 515 U.S. 900, 911 (1995) (internal citations omitted). "When the State assigns voters on the basis of race," the Court explained, "it engages in the offensive and demeaning assumption that voters of a particular race, because of their race, 'think alike, share the same political interests, and will prefer the same candidates at the polls.'" *Id.* at 911-12 (quoting *Shaw v. Reno*, 509 U.S. 630, 647 (1993)).

For these reasons, the Court has interpreted the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution to prohibit state legislatures from using race as the "predominant factor motivating [their] decision to place a significant number of voters within or without a particular district," *id.* at 916, unless they can prove that their "race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end," *Cooper v. Harris*, 137 S. Ct. 1455, 1464 (2017) (citation omitted). That race was the predominant factor motivating a legislature's line-drawing decision can be shown "either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose." *Miller*, 515 U.S. at 916.

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Although non-adherence to traditional districting principles, which results in a non-compact, unusually shaped district, is relevant evidence that race was the predominant motivation of a legislature, such evidence is not required to establish a constitutional violation. "Race may predominate even when a reapportionment plan respects traditional principles, . . . if '[r]ace was the criterion that, in the State's view, could not be compromised,' and race-neutral considerations 'came into play only after the race-based decision had been made.'" *Bethune-Hill v. Va. State Bd. of Elections*, 137 S. Ct. 788, 798 (2017) (quoting *Shaw v. Hunt*, 517 U.S. 899, 907 (1996) (alteration in original)). "The racial predominance inquiry concerns the actual considerations that provided the essential basis for the lines drawn, not *post hoc* justifications the legislature in theory could have used but in reality did not." *Id.* at 799. A legislature "could construct a plethora of potential maps that look consistent with traditional, race-neutral principles," but "if race for its own sake is the overriding reason for choosing one map over others, race still may predominate." *Id.* It is the "racial purpose of state action, not its stark manifestation," that offends the Equal Protection Clause. *Miller*, 515 U.S. at 913.

In light of these well-established constitutional principles, the congressional redistricting bill enacted by the Legislature violates the U.S. Constitution. The bill contains a primary map and secondary map that include a racially gerrymandered district—Congressional District 5—that is not narrowly tailored to achieve a compelling state interest. *See generally* Fla. H.R. Comm. on Redist., recording of proceedings, at 0:00-2:55:19 (Feb. 25, 2022), https://thefloridachannel.org/videos/2-25-22-house-redistricting-committee/ (committee presentation and discussion of the maps later passed by the Legislature).

In the secondary map, which was the original map reported out of the House Congressional Redistricting Subcommittee, District 5 is a sprawling district that stretches approximately 200 miles from East to West and cuts across eight counties to connect a minority population in Jacksonville with a separate and distinct minority population in Leon and Gadsden Counties. The district is not compact, does not conform to usual political or geographic boundaries, and is bizarrely shaped to include minority populations in western Leon County and Gadsden County while excluding non-minority populations in eastern Leon County. Because this version of District 5 plainly subordinates traditional districting criteria to avoid diminishment of minority voting age population, there is no question that race was "the predominant factor motivating the legislature's decision" to draw this district. *Miller*, 515 U.S. at 916.

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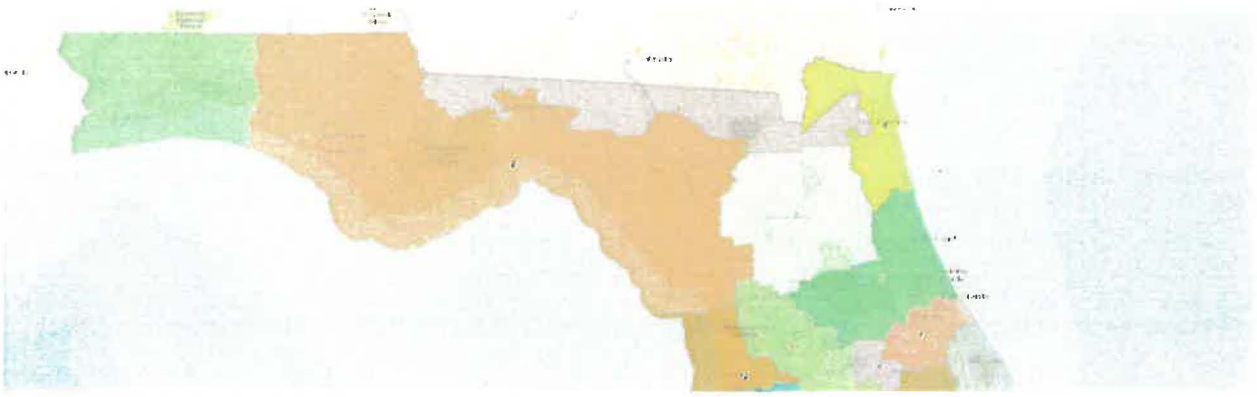
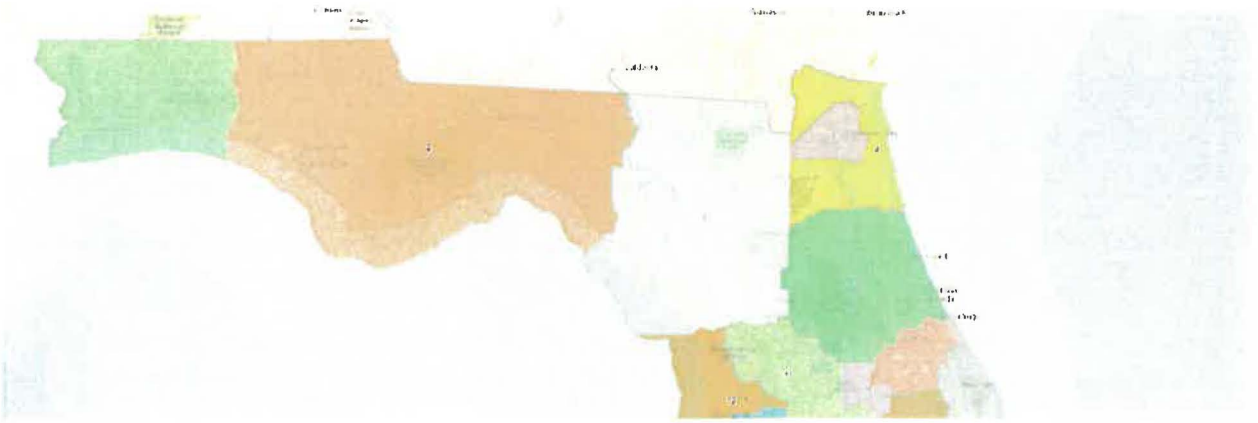
District 5 in the Secondary Map (Purple)



In response to federal constitutional concerns about the unusual shape of District 5 as it was originally drawn, and which is now reflected in the secondary map, the House Redistricting Committee drew a new version of District 5, which is reflected in the primary map. This configuration of the district is more compact but has caused the adjacent district—District 4—to take on a bizarre doughnut shape that almost completely surrounds District 5. The reason for this unusual configuration is the Legislature's desire to maximize the black voting age population in District 5. The Chair of the House Redistricting Committee confirmed this motivation when he explained that the new District 5 was drawn to "protect[] a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022).

District 5 in the Primary Map (Purple)



Despite the Legislature's attempt to address the federal constitutional concerns by drawing a more compact district, the constitutional defect nevertheless persists. Where "race was the criterion that, in the State's view, could not be compromised, and race-neutral considerations came into play only after the race-based decision had been made," it follows that race was the predominant factor, even though the district

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otherwise respects traditional districting principles. *Bethune-Hill*, 137 S. Ct. at 798 (cleaned up).

Such was the case here. Even for the more compact district, the Legislature believed (albeit incorrectly) that the Florida Constitution required it to ensure "a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022). Specifically, according to the House Redistricting Chair, the primary map's version of District 5 is the House's "attempt at continuing to protect the minority group's ability to elect a candidate of their choice." *Id.* at 19:45-19:54. The Legislature thus used "an express racial target" for District 5 of a black voting age population sufficiently large to elect a candidate of its choice. *Bethune-Hill*, 137 S. Ct. at 800.

Because racial considerations predominated even in drawing the new District 5, the Legislature must satisfy strict scrutiny, the U.S. Supreme Court's "most rigorous and exacting standard of constitutional review." *Miller*, 515 U.S. at 920. And to satisfy strict scrutiny, the Legislature "must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest." *Id.* That, the Legislature cannot do.

There is no good reason to believe that District 5 needed to be drawn as a minority-performing district to comply with Section 2 of the Voting Rights Act (VRA), because the relevant minority group is not sufficiently large to constitute a majority in a geographically compact area. In the primary map, the black voting age population of District 5 is 35.32%, and even in the secondary map, with the racially gerrymandered, non-compact version of District 5, the black voting age population increases only to 43.48%. *Compare* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8015, https://bit.ly/36hFRBB (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). "When a minority group is not sufficiently large to make up a majority in a reasonably shaped district, § 2 simply does not apply." *Cooper*, 137 S. Ct. at 1472 (citing *Bartlett v. Strickland*, 556 U.S. 1, 18-20 (2009) (plurality opinion)); *see also Thornburg v. Gingles*, 478 U.S. 30, 50 (1986) (explaining that one of the threshold conditions for proving vote dilution under Section 2 is that the minority group is "sufficiently large and geographically compact to constitute a majority").

Nor is there good reason to believe that District 5 is required to be drawn to comply with Section 5 of the VRA. Section 5 is no longer operative now that the U.S. Supreme Court invalidated the VRA's formula for determining which jurisdictions are subject to Section 5. *See Shelby Cnty. v. Holder*, 570 U.S. 529, 553-57 (2013); *see also Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 279 (2015) (suggesting that continued compliance with Section 5 may not remain a compelling interest in light of *Shelby County*). In any event, even before the coverage formula was invalidated, the State of

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Florida was not a covered jurisdiction subject to Section 5. *See In re Senate Joint Resolution of Legislative Apportionment 1176* (*Apportionment I*), 83 So. 3d 597, 624 (Fla. 2012). Only five counties in Florida were covered—Collier, Hardee, Hendry, Hillsborough, and Monroe—and none of them are in northern Florida where District 5 is located. *See id.*

The only justification left for drawing a race-based district is compliance with Article III, Section 20(a) of the Florida Constitution. But District 5 does not comply with this provision. Article III, Section 20(a) provides that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." The Florida Supreme Court has noted that these "dual constitutional imperatives follow almost verbatim the requirements embodied in the Federal Voting Rights Act." *Id.* at 619 (cleaned up). The first imperative, which prohibits districts that deny or abridge the equal opportunity of minority groups to participate in the political process, is modeled after Section 2 of the VRA, and the second imperative, which prohibits districts that diminish the ability of minority groups to elect representatives of their choice, is modeled after Section 5. *Id.* at 619-20.

Like the VRA, these provisions of the Florida Constitution "aim[] at safeguarding the voting strength of minority groups against both impermissible dilution and retrogression." *Id.* at 620. Although judicial interpretation of the VRA is relevant to understanding the Florida Constitution's non-dilution and non-diminishment provisions, the Florida Supreme Court nonetheless recognizes its "independent constitutional obligation" to interpret these provisions. *Id.* at 621.

Relevant here is the Florida Constitution's non-diminishment requirement. Unlike Section 5 of the VRA, this requirement "applies to the entire state." *Id.* at 620. Under this standard, the Legislature "cannot eliminate majority-minority districts or weaken other historically performing minority districts where doing so would actually diminish a minority group's ability to elect its preferred candidates." *Id.* at 625. The existing districts "serve[] as the 'benchmark' against which the 'effect' of voting changes is measured." *Id.* at 624 (cleaned up). Where a voting change leaves a minority group "less able to elect a preferred candidate of choice" than the benchmark, that change violates the non-diminishment standard. *Id.* at 625 (internal quotation marks omitted); *see also id.* at 702 (Canady, C.J., concurring in part and dissenting in part) (noting that the dictionary definition of "diminish" means "to make less or cause to appear less" (citation omitted)).

The Florida Supreme Court has acknowledged that "a slight change in percentage of the minority group's population in a given district does not necessarily have a cognizable effect on a minority group's ability to elect its preferred candidate of choice." *Id.* at 625. The minority population percentage in each district need not be

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"fixed" in perpetuity. *Id.* at 627. But where the reduction in minority population in a given district is more than "slight," such that the ability of the minority population to elect a candidate of choice has been reduced (even if not eliminated), the Legislature has violated the Florida Constitution's non-diminishment requirement as interpreted by the Florida Supreme Court.

Given these principles, there is no good reason to believe that District 5, as presented in the primary map, complies with the Florida Constitution's non-diminishment requirement. The benchmark district contains a black voting age population of 46.20%, whereas the black voting age population of District 5 in the primary map is only 35.32%.[1] *Compare* Fla. Redist. 2022, FLCD2016, https://bit.ly/3Iv6FeW (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). This nearly eleven percentage point drop is more than slight, and while the House Redistricting Chair represented that the black population of the district could still elect a candidate of choice, *see* Fla. H.R. Comm. on Redist., recording of proceedings, at 59:44-1:00:17 (Feb. 25, 2022), there appears to be little dispute that the ability of the black population to elect such a candidate had nevertheless been reduced, *see id.* at 1:00:18-1:00:58 (noting that the benchmark district performed for the minority candidate of choice in 14 of 14 previous elections and that the new district would not perform for the minority candidate of choice in one-third of the same elections).

Moreover, the House Redistricting Chair claimed that the only criterion that mattered was whether the new district still performed at all. *See id.* at 1:06:09-1:06:30 ("It is not a diminishment unless the district does not perform."); *see also id.* at 1:05:05-1:05:13 ("Is it less likely to perform? Honestly, I don't know."). But that view is plainly inconsistent with the Florida Supreme Court precedent described above, which prohibits any voting change that leaves a minority group "less able to elect a preferred candidate of choice." *Apportionment I*, 83 So. 3d at 625 (internal quotation marks omitted). In sum, because the reduction of black voting age population is more than slight and because such reduction appears to have diminished the ability of black voters to elect a candidate of their choice, District 5 does not comply with the non-diminishment requirement of Article III, Section 20(a) of the Florida Constitution. Therefore, compliance with the Florida Constitution cannot supply the compelling reason to justify the Legislature's use of race in drawing District 5 in the primary map.

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[1] The benchmark district itself is a sprawling, non-compact racial gerrymander that connects minority communities from two distinct regions of the State; however, for purposes of this point, I assume that the district can be used as a valid benchmark against which to judge the new maps.

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In the secondary map, by contrast, District 5 complies with the Florida Constitution's non-diminishment requirement, but in doing so, it violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. The U.S. Supreme Court has warned that a "reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who may have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid." *Shaw*, 509 U.S. at 647. As described earlier, District 5 in the secondary map does precisely this.

That the district is believed to be necessary to comply with the Florida Constitution's non-diminishment requirement does not alone suffice to justify the use of race in drawing bizarre, non-compact district boundaries for the sole purpose of cobbling together disparate minority populations from across northern Florida to form a minority-performing district. Mere compliance with a state constitutional requirement to engage in race-based districting is not, without more, a compelling interest sufficient to satisfy strict scrutiny. The Fourteenth and Fifteenth Amendments to the U.S. Constitution and the VRA, which enforces the Fifteenth Amendment, exist to *prevent* states from engaging in racially discriminatory electoral practices. Indeed, one such weapon that states long used, and that the VRA was designed to combat, "was the racial gerrymander—the deliberate and arbitrary distortion of district boundaries for racial purposes." *Id.* at 640 (cleaned up).

Here, the Florida Constitution's non-diminishment standard would be satisfied only by a sprawling, non-compact district that spans 200 miles and repeatedly violates traditional political boundaries to join minority communities from disparate geographic areas. Such a district is not narrowly tailored to achieve the compelling interest of protecting the voting rights of a minority community in a reasonably cohesive geographic area. As applied to District 5 in the secondary map, therefore, the Florida Constitution's non-diminishment standard cannot survive strict scrutiny and clearly violates the U.S. Constitution.

For the foregoing reasons, Congressional District 5 in both maps is unlawful.

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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

AMERICAN OVERSIGHT

SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000158

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 17, 2022

Date: Thursday, February 17, 2022 6:21:00 PM

The Governor's Office received the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

SB 850 – Florida Statutes

AMERICAN OVERSIGHT

SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

The Governor has until February 24, 2022 to act on these bills.

Thanks
Stephanie

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 17, 2022

Date: Thursday, February 17, 2022 6:21:00 PM

The Governor's Office received the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

AMERICAN OVERSIGHT

SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

The Governor has until February 24, 2022 to act on these bills.

Thanks
Stephanie

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

AMERICAN OVERSIGHT

SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000165

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 15, 2022
Date: Tuesday, March 15, 2022 6:26:00 PM
Attachments: Transmittal Letter.SB520 & SB1048.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

2022 MAR 15 PM 3:50
OFFICE OF STATE
TALLAHASSEE, FL
FILED

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000168

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Omphroy, Anika; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov

Subject: Governor Ron DeSantis" Bill Action today, March 15, 2022

Date: Tuesday, March 15, 2022 6:26:00 PM

Attachments: Transmittal Letter.SB520 & SB1048.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 520 – Public Records and Public Meetings

AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

2022 MAR 15 PM 3:50
OFFICE OF STATE
TALLAHASSEE, FL
FILED

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000171

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022
Date: Thursday, March 10, 2022 3:55:00 PM
Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE, FL

AMERICAN OVERSIGHT

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

FL-GOV-22-0226, 20-0378-A-000174

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Omphroy, Anika; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 3:55:00 PM

Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 282 – Mental Health and Substance Use Disorders

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE FL

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000177

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 11:48:00 AM

The Governor's Office received the following bill today:

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

The Governor has until March 17, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022
Date: Monday, March 7, 2022 5:25:00 PM
Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

Please see the attached transmittal letter.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9248

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000182

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022

Date: Monday, March 7, 2022 5:25:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000185

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; 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anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022
Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau

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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov

Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022

Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 22, 2022

Date: Tuesday, March 22, 2022 3:21:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

SB 1054 - Financial Literacy Instruction in Public Schools

Please see the attached transmittal letter.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 22, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 1054 – Financial Literacy Instruction in Public Schools

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 22 PM 2:52
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000192

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; LaMarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; Harrell, Gayle; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Mears, Kathy; mat.bahl@myfloridahouse.gov

Subject: Invite - State of the State Reception 2022

Date: Saturday, January 8, 2022 11:32:03 AM

Attachments: Invite - State of the State Reception 2022.pdf

You should have received this invite already through our scheduling office. I just wanted to make sure the invite did not go to spam. Please RSVP through the scheduling email or respond to Casey.Smith@eog.myflorida.com so I can make sure you are on this list. Look forward to seeing you next week. Please don't hesitate to contact me if you have any questions.

The Governor and First Lady

AMERICAN OVERSIGHT

of the
State of Florida

are looking forward to hosting you at

The State of the State Reception

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida
On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

AMERICAN OVERSIGHT

The Governor and First Lady of the State of Florida

are looking forward to hosting you at

The State of the State Reception

to be held at

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida

On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please follow R.S.V.P. directions
in the email invitation
Invitation is non-transferable

There is no charge to attend this event. For those guests who are required under applicable lobbying or gift laws to pay for food or beverage consumed at the reception, the cost is $20 per guest. Payment must be made prior to the event in the form of a check made payable to "Governor's Mansion Auxiliary" and mailed to: Governor's Mansion Auxiliary, 700 N. Adams Street, Tallahassee, Florida 32303

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-000195

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; Mears, Kathy; mat.bahl@myfloridahouse.gov
Subject: Invite - State of the State Reception 2022
Date: Saturday, January 8, 2022 11:32:03 AM
Attachments: Invite - State of the State Reception 2022.pdf

You should have received this invite already through our scheduling office. I just wanted to make sure the invite did not go to spam. Please RSVP through the scheduling email or respond to Casey.Smith@eog.myflorida.com so I can make sure you are on this list. Look forward to seeing you next week. Please don't hesitate to contact me if you have any questions.

The Governor and First Lady

AMERICAN OVERSIGHT

of the
State of Florida

are looking forward to hosting you at

The State of the State Reception

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida
On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

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On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please follow R.S.V.P. directions
in the email invitation
Invitation is non-transferable

There is no charge to attend this event. For those guests who are required under applicable lobbying or gift laws to pay for food or beverage consumed at the reception, the cost is $20 per guest. Payment must be made prior to the event in the form of a check made payable to "Governor's Mansion Auxiliary" and mailed to: Governor's Mansion Auxiliary, 700 N. Adams Street, Tallahassee, Florida 32303

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000198

From: Kopelousos, Stephanie
To: Kelly, Alex; tyler.sirois myfloridahouse.gov
Cc: Rinaldi, Angelique
Subject: Mtg w/Rep. Sirois

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kelly, Alex; tyler.sirois myfloridahouse.gov
Cc: Rinaldi, Angelique
Subject: Mtg w/Rep. Sirois

AMERICAN OVERSIGHT

From: Newman, Ryan
To: Rinaldi, Angelique
Cc: Ortega, Annie
Subject: RE: Representative Sirois Judicial Appointment Recommendation
Date: Tuesday, March 22, 2022 4:50:00 PM
Attachments: image001.png

Thanks so much.

Ryan D. Newman
General Counsel
Office of Governor Ron DeSantis
(850) 717-9368

From: Rinaldi, Angelique <Angelique.Rinaldi@myfloridahouse.gov>
Sent: Tuesday, March 22, 2022 11:08 AM
To: Newman, Ryan <Ryan.Newman@eog.myflorida.com>
Cc: Ortega, Annie <Annie.Ortega@eog.myflorida.com>
Subject: Representative Sirois Judicial Appointment Recommendation

Good afternoon Mr. Newman,

Please accept the attached judicial appointment recommendation from Representative Tyler Sirois on behalf of Mrs. Lorelie Brannan. Please let us know if you have any questions.

Thank you,

Angelique Rinaldi
Legislative Assistant
District: 321-449-5111
Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51
Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000202

AMERICAN
OVERSIGHT

From: Newman, Ryan
To: Rinaldi, Angelique
Cc: Ortega, Annie
Subject: RE: Representative Sirois Judicial Appointment Recommendation
Date: Tuesday, March 22, 2022 4:51:00 PM
Attachments: image001.png

Thanks so much.

Ryan D. Newman
General Counsel
Office of Governor Ron DeSantis
(850) 717-9368

From: Rinaldi, Angelique <Angelique.Rinaldi@myfloridahouse.gov>
Sent: Tuesday, March 22, 2022 11:08 AM
To: Newman, Ryan <Ryan.Newman@eog.myflorida.com>
Cc: Ortega, Annie <Annie.Ortega@eog.myflorida.com>
Subject: Representative Sirois Judicial Appointment Recommendation

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Thank you,

Angelique Rinaldi
Legislative Assistant
District: 321-449-5111
Tallahassee: 850-717-5051

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Florida House of Representatives

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AMERICAN OVERSIGHT

20-0378-A-000204

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Benedict, Stephanie
Subject: RE: THANK YOU!
Date: Friday, February 11, 2022 9:41:22 AM
Attachments: image001.png

I will get pictures.

From: Benedict, Stephanie <Stephanie.Benedict@myfloridahouse.gov>
Sent: Friday, February 11, 2022 8:15 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: THANK YOU!

Hey there! It was great seeing you yesterday, thank you so much for all your help arranging the photo for Liz (which I luckily got to tag along for!!). Will the professional ones be posted on the governor's smugmug page? Wanted to make sure Liz and Rep. Leek's brother (and me!) knew where to find them. ☺

Thanks again!

Stephanie Wohlford Benedict, *Legislative Aide*
Representative Tom Leek, District 25

District Office: 386-238-4865
1540 Cornerstone Blvd., Ste. 240
Daytona Beach, FL 32117
Capitol Office: 850-717-5025
402 House Office Building

FL-GOV-22-0226, 20-0378-A-000205

HOUSE OF REPRESENTATIVES
FLORIDA

From: Kopelousos, Stephanie
To: "Benedict, Stephanie"
Subject: RE: THANK YOU!
Date: Friday, February 11, 2022 9:41:22 AM
Attachments: image001.png

I will get pictures.

From: Benedict, Stephanie <Stephanie.Benedict@myfloridahouse.gov>
Sent: Friday, February 11, 2022 8:15 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: THANK YOU!

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Capitol Office: 850-717-5025
402 House Office Building

AMERICAN OVERSIGHT

HOUSE OF REPRESENTATIVES
FLORIDA

From:	Kopelousos, Stephanie
To:	"Leda.Kelly@myfloridahouse.gov"; "Donna.Ellerkamp@myfloridahouse.gov"
Cc:	tyler.sirois myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; "Kelly.Skidmore@myfloridahouse.gov"; "christopher.benjamin@myfloridahouse.gov"; Kamia.Brown myfloridahouse.gov; "Fabricio, Tom"; elizabeth.fetterhoff myfloridahouse.gov; "Giallombardo, Mike"; "Joe.Harding@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; dotie.joseph myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; "Daisy.Morales@myfloridahouse.gov"; daniel.perez myfloridahouse.gov; scott.plakon myfloridahouse.gov; David.Silvers myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; "Trabulsy, Dana"; jayer.williamson myfloridahouse.gov; "Maggard, Randy"; lawrence.mcclure myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; mike.beltran myfloridahouse.gov
Subject:	RE: Testimony
Date:	Friday, February 18, 2022 8:17:00 AM
Attachments:	All Plans Comparison 2.18.22 3 Pages.pptx

I am also attaching a document that Mr. Popper may reference. This document provides an overview comparison of the Maps including the most recent one submitted by the Governor.
Stephanie

From: Kopelousos, Stephanie
Sent: Friday, February 18, 2022 8:01 AM
To: 'Leda.Kelly@myfloridahouse.gov' <Leda.Kelly@myfloridahouse.gov>; 'Donna.Ellerkamp@myfloridahouse.gov' <Donna.Ellerkamp@myfloridahouse.gov>
Cc: tyler.sirois myfloridahouse.gov <tyler.sirois@myfloridahouse.gov>; 'Kaylee.Tuck@myfloridahouse.gov' <Kaylee.Tuck@myfloridahouse.gov>; 'Kelly.Skidmore@myfloridahouse.gov' <Kelly.Skidmore@myfloridahouse.gov>; christopher.benjamin@myfloridahouse.gov; Kamia.Brown myfloridahouse.gov <Kamia.Brown@myfloridahouse.gov>; Fabricio, Tom <Tom.Fabricio@myfloridahouse.gov>; elizabeth.fetterhoff myfloridahouse.gov <elizabeth.fetterhoff@myfloridahouse.gov>; Giallombardo, Mike <Mike.Giallombardo@myfloridahouse.gov>; 'Joe.Harding@myfloridahouse.gov' <Joe.Harding@myfloridahouse.gov>; 'Christine.Hunschofsky@myfloridahouse.gov' <Christine.Hunschofsky@myfloridahouse.gov>; dotie.joseph myfloridahouse.gov <dotie.joseph@myfloridahouse.gov>; Ralph.Massullo myfloridahouse.gov <Ralph.Massullo@myfloridahouse.gov>; 'Daisy.Morales@myfloridahouse.gov' <Daisy.Morales@myfloridahouse.gov>; daniel.perez myfloridahouse.gov <daniel.perez@myfloridahouse.gov>; scott.plakon myfloridahouse.gov <scott.plakon@myfloridahouse.gov>; David.Silvers myfloridahouse.gov <David.Silvers@myfloridahouse.gov>; Jackie.Toledo myfloridahouse.gov <Jackie.Toledo@myfloridahouse.gov>; Trabulsy, Dana <Dana.Trabulsy@myfloridahouse.gov>; jayer.williamson myfloridahouse.gov <jayer.williamson@myfloridahouse.gov>; Maggard, Randy <randy.maggard@myfloridahouse.gov>; lawrence.mcclure myfloridahouse.gov <lawrence.mcclure@myfloridahouse.gov>; Jason.Fischer myfloridahouse.gov <Jason.Fischer@myfloridahouse.gov>; mike.beltran myfloridahouse.gov <mike.beltran@myfloridahouse.gov>
Subject: Testimony

Leda,
Attached is the testimony from Robert Popper for todays committee hearing. I will bring copies early to the committee hearing so you have hard copies.
Please let me know if you have any questions.

AMERICAN OVERSIGHT

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

50%+ CVAP and VAP

Plan	% Black Non-Hispanic VAP	% Hispanic VAP	% Black Non-Hispanic Citizen VAP	% Black All Citizen VAP	% Hispanic Citizen VAP
Benchmark	0	3	1	1	3
8040 (Senate)	0	4	0	0	3
8011 (House)	0	4	1	1	3
0094 (EOG)	0	4	1	1	3

AMERICAN OVERSIGHT

Counties and Cities

Plan	County Splits	City Splits	CDP Splits	City + CDP Total Splits
Minimum	9	13	N/A	N/A
Benchmark	18	39	43	82
8040 (Senate)	19	45	47	92
8011 (House)	20	27	49	76
0094 (EOG)	17	17	19	36

AMERICAN OVERSIGHT

Compactness

Plan	Reock Mean	Reock Minimum	Area/Convex Hull Mean	Area/Convex Hull Minimum	Polsby Popper Mean	Polby Popper Minimum
Benchmark	0.44	0.12	0.77	0.55	0.36	0.10
8040 (Senate)	0.46	0.12	0.80	0.55	0.43	0.12
8011 (House)	0.43	0.11	0.79	0.56	0.37	0.10
0094 (EOG)	0.44	0.17	0.80	0.56	0.38	0.20

AMERICAN OVERSIGHT

- **Reock** – ratio of area to minimum bounding circle; range 0.00 to 1.00 with 1.00 representing a perfect score
- **Area/Convex Hull** – ratio of area to minimum convex polygon; range 0.00 to 1.00 with 1.00 representing a perfect score
- **Polsby Popper** – ratio of area to perimeter-based circle; range 0.00 to 1.00 with 1.00 representing a perfect score

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
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Cc: tyler.sirois myfloridahouse.gov <tyler.sirois@myfloridahouse.gov>; 'Kaylee.Tuck@myfloridahouse.gov' <Kaylee.Tuck@myfloridahouse.gov>; 'Kelly.Skidmore@myfloridahouse.gov' <Kelly.Skidmore@myfloridahouse.gov>; christopher.benjamin@myfloridahouse.gov; Kamia.Brown myfloridahouse.gov <Kamia.Brown@myfloridahouse.gov>; Fabricio, Tom <Tom.Fabricio@myfloridahouse.gov>; elizabeth.fetterhoff myfloridahouse.gov <elizabeth.fetterhoff@myfloridahouse.gov>; Giallombardo, Mike <Mike.Giallombardo@myfloridahouse.gov>; 'Joe.Harding@myfloridahouse.gov' <Joe.Harding@myfloridahouse.gov>; 'Christine.Hunschofsky@myfloridahouse.gov' <Christine.Hunschofsky@myfloridahouse.gov>; dotie.joseph myfloridahouse.gov <dotie.joseph@myfloridahouse.gov>; Ralph.Massullo myfloridahouse.gov <Ralph.Massullo@myfloridahouse.gov>; 'Daisy.Morales@myfloridahouse.gov' <Daisy.Morales@myfloridahouse.gov>; daniel.perez myfloridahouse.gov <daniel.perez@myfloridahouse.gov>; scott.plakon myfloridahouse.gov <scott.plakon@myfloridahouse.gov>; David.Silvers myfloridahouse.gov <David.Silvers@myfloridahouse.gov>; Jackie.Toledo myfloridahouse.gov <Jackie.Toledo@myfloridahouse.gov>; Trabulsy, Dana <Dana.Trabulsy@myfloridahouse.gov>; jayer.williamson myfloridahouse.gov <jayer.williamson@myfloridahouse.gov>; Maggard, Randy <randy.maggard@myfloridahouse.gov>; lawrence.mcclure myfloridahouse.gov <lawrence.mcclure@myfloridahouse.gov>; Jason.Fischer myfloridahouse.gov <Jason.Fischer@myfloridahouse.gov>; mike.beltran myfloridahouse.gov <mike.beltran@myfloridahouse.gov>
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- **Reock** – ratio of area to minimum bounding circle; range 0.00 to 1.00 with 1.00 representing a perfect score
- **Area/Convex Hull** – ratio of area to minimum convex polygon; range 0.00 to 1.00 with 1.00 representing a perfect score
- **Polsby Popper** – ratio of area to perimeter-based circle; range 0.00 to 1.00 with 1.00 representing a perfect score

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"
Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments
Date: Monday, January 24, 2022 10:54:32 PM
Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

AMERICAN OVERSIGHT

Apologies for the late email, but today, the Biden Administration (through the FDA), announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

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January 24, 2022

MONOCLONAL ANTIBODY SITES STATEWIDE WILL BE CLOSED AFTER FDA REMOVES TREATMENT AUTHORIZATION

Contact:
Communications Office
NewsMedia@flhealth.gov
(850) 245-4111

Tallahassee, Fla. — This evening, without any advanced notice, the U.S. Food and Drug Administration (FDA) revised the Emergency Use Authorizations (EUA) for bamlanivimab/etesevimab and REGEN-COV. The revised EUAs do not allow providers to administer these treatments within the United States.

Unfortunately, as a result of this abrupt decision made by the federal government, all monoclonal antibody state sites will be closed until further notice.

Individuals with appointments have been directly contacted regarding cancellations. If you have tested positive for COVID-19, please contact your health care provider for more information and resources on treatment options. Resources for emerging treatments can be found at www.HealthierYouFL.org. Pharmacies that have received allocations of anti-viral treatments can be found at www.FloridaHealthCOVID-19.gov.

Florida disagrees with the decision that blocks access to any available treatments in the absence of clinical evidence. To date, such clinical evidence has not been provided by the United States Food and Drug Administration (FDA).

As stated in one of the pre-print studies cited on the NIH website, "despite observing differences in neutralizing activity with certain mAbs, it remains to be determined how this finding translates into effects on clinical protection against B.1.1.529."

For more information on why this decision was made, please contact the FDA at 1-888-463-6332.

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About the Florida Department of Health

The department, nationally accredited by the Public Health Accreditation Board, works to protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov

Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments

Date: Monday, January 24, 2022 10:54:32 PM

Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

Apologies for the late email, but today, the Biden Administration (through the FDA),

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announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

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January 24, 2022

MONOCLONAL ANTIBODY SITES STATEWIDE WILL BE CLOSED AFTER FDA REMOVES TREATMENT AUTHORIZATION

Contact:
Communications Office
NewsMedia@flhealth.gov
(850) 245-4111

Tallahassee, Fla. — This evening, without any advanced notice, the U.S. Food and Drug Administration (FDA) revised the Emergency Use Authorizations (EUA) for bamlanivimab/etesevimab and REGEN-COV. The revised EUAs do not allow providers to administer these treatments within the United States.

Unfortunately, as a result of this abrupt decision made by the federal government, all monoclonal antibody state sites will be closed until further notice.

Individuals with appointments have been directly contacted regarding cancellations. If you have tested positive for COVID-19, please contact your health care provider for more information and resources on treatment options. Resources for emerging treatments can be found at www.HealthierYouFL.org. Pharmacies that have received allocations of anti-viral treatments can be found at www.FloridaHealthCOVID-19.gov.

Florida disagrees with the decision that blocks access to any available treatments in the absence of clinical evidence. To date, such clinical evidence has not been provided by the United States Food and Drug Administration (FDA).

As stated in one of the pre-print studies cited on the NIH website, "despite observing differences in neutralizing activity with certain mAbs, it remains to be determined how this finding translates into effects on clinical protection against B.1.1.529."

For more information on why this decision was made, please contact the FDA at 1-888-463-6332.

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About the Florida Department of Health

The department, nationally accredited by the Public Health Accreditation Board, works to protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

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Follow us on Facebook, Instagram, and Twitter at @HealthyFla. For more information about the Florida Department of Health please visit www.FloridaHealth.gov.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Leda.Kelly@myfloridahouse.gov; Donna.Ellerkamp@myfloridahouse.gov
Cc:	tyler.sirois myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; christopher.benjamin@myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; Fabricio, Tom; elizabeth.fetterhoff myfloridahouse.gov; Giallombardo, Mike; Joe.Harding@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; daniel.perez myfloridahouse.gov; scott.plakon myfloridahouse.gov; David.Silvers myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; Trabulsy, Dana; jayer.williamson myfloridahouse.gov; Maggard, Randy; lawrence.mcclure myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; mike.beltran myfloridahouse.gov
Subject:	Testimony
Date:	Friday, February 18, 2022 8:01:00 AM
Attachments:	Robert D. Popper Report - 2.18.2022.pdf

Leda,

Attached is the testimony from Robert Popper for todays committee hearing. I will bring copies early to the committee hearing so you have hard copies.

Please let me know if you have any questions.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

Robert D. Popper
Senior Attorney
Director, Voting Integrity
Judicial Watch, Inc.

February 18, 2022

My name is Robert D. Popper. I am a Senior Attorney and Director of voting integrity efforts at Judicial Watch, Inc. Judicial Watch is a Washington, D.C.-based public interest nonprofit dedicated to promoting transparency, accountability, and integrity in government, politics, and the law.

I was admitted to the Bar in New York in 1990, and I have been practicing as a litigator for 32 years. I have special knowledge and expertise in the area of voting law and have written both popular and scholarly articles on the subject.[1] I have particular expertise in the areas of racial and political gerrymandering. In 1991, with Professor Daniel Polsby, I wrote an article describing a mathematical way to measure the geographic compactness of congressional districts.[2] This standard is now known as the "Polsby/Popper" criterion and is one of the most widely used tests of district compactness. In 1997, I brought a lawsuit that ultimately led to New York's 12th Congressional District being enjoined as an unconstitutional racial

[1] *See, e.g., How H.R.1 Intends to Overturn Supreme Court Rulings on Elections*, THE HILL, March 21, 2021; *The Voter Suppression Myth Takes Another Hit*, WALL ST. J., December 28, 2014; *Florida Gets Another Chance to Appeal for the Right to Clean Voter Rolls, They Should Take It*, THE DAILY CALLER, December 11, 2014; *Political Fraud About Voter Fraud*, WALL ST. J., April 27, 2014; *Little-Noticed Provision Would Dramatically Expand DOJ's Authority at the Polls*, THE DAILY CALLER, March 28, 2014; and, with Professor Daniel D. Polsby, *Guinier's Theory of Political Market Failure*, 77 SOC. SCI. Q. 14 (1996); *Racial Lines*, NAT. REV. 53, February 20, 1995; *Ugly: An Inquiry into the Problem of Racial Gerrymandering Under the Voting Rights Act*, 92 MICH. L. REV. 652 (1993); *Gerrymandering: Harms and a New Solution*, Heartland Institute Monograph (1990).

[2] Daniel D. Polsby & Robert D. Popper, *The Third Criterion: Compactness as a Procedural Safeguard Against Partisan Gerrymandering*, 9 YALE L. & POL'Y REV. 301 (1991).

AMERICAN OVERSIGHT

gerrymander.[3]

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In 2013, I joined Judicial Watch. In my time there, I have filed voting rights lawsuits in federal and state courts alleging claims under the First, Fourteenth, and Fifteenth Amendments, Section 2 of the Voting Rights Act, the NVRA, and a number of state constitutional provisions. Among other things, I am currently representing plaintiffs pursuing gerrymandering claims in Maryland State court.

In preparation for my testimony, I looked at Florida's proposed congressional districts in maps drawn by the Florida House Redistricting Committee (*see* H000C8011, dated

[3] *Diaz v. Silver*, 978 F. Supp. 96 (E.D.N.Y. 1997) (three-judge court), *aff'd mem.*, 521 U.S. 801 (1997).

AMERICAN OVERSIGHT

2/10/2022; H000C8003, dated 11/29/2021; H000C8001, 11/29/2021, available at https://redistrictingplans.flsenate.gov/). In sum, my testimony is that proposed Congressional District 3 is highly vulnerable to being enjoined in a lawsuit that could be filed in federal court on the basis of principles embodied in the landmark ruling of *Shaw v. Reno*, 509 U.S. 630 (1993) and its progeny.

In *Shaw*, the Supreme Court first held that "redistricting legislation that is so extremely irregular on its face that it rationally can be viewed only as an effort to segregate the races for purposes of voting, without regard for traditional districting principles and without sufficiently compelling justification" states a federal, constitutional claim "under the Equal Protection Clause." 509 U.S. at 642. Two years later in *Miller v. Johnson*, 515 U.S. 900 (1995), the Supreme Court upheld a lower court ruling invalidating a Georgia district on the basis of *Shaw*. The Court explained that "the essence of the equal protection claim recognized in *Shaw* is that the State has used race as a basis for separating voters into districts." 515 U.S. at 911. Assigning voters on that basis "embod[ies] stereotypes that treat individuals as the product of their race, evaluating their thoughts and efforts—their very worth as citizens—according to a criterion barred to the Government by history and the Constitution." *Id*. at 912.

The racial intent behind the district challenged in *Miller* was apparent "when its shape is considered in conjunction with its racial and population densities." *Id*. at 917. Because "[r]ace was … the predominant, overriding factor" in its design, the district could not be "upheld unless it satisfies strict scrutiny, our most rigorous and exacting standard of constitutional review." *Id*. at 920. "To satisfy strict scrutiny, the State must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest." *Id*. The Court noted in particular that "creating a third majority-black district to satisfy the Justice

AMERICAN OVERSIGHT

Department's preclearance demands" under Section 5 of the Voting Rights Act was not enough under the circumstances to justify the challenged district:

> As we suggested in *Shaw*, compliance with federal antidiscrimination laws cannot justify race-based districting where the challenged district was not reasonably necessary under a constitutional reading and application of those laws. … The congressional plan challenged here was not required by the Voting Rights Act under a correct reading of the statute.

Id. at 921.

More recently, in *Bethune-Hill v. Va. State Bd. of Elections*, 137 S. Ct. 788, 797-98 (2017), the Court made clear that a plaintiff challenging a district under *Shaw* was *not* required to "establish, as a prerequisite to showing racial predominance, an actual conflict between the enacted plan and traditional redistricting principles." The Court recognized that "the 'constitutional violation' in racial gerrymandering cases stems from the 'racial purpose of state action, not its stark manifestation.'" *Id*. at 798 (citation omitted). *Bethune-Hill* is also noteworthy in that the Court, under a deferential review for "clear error," did not overturn the district court's finding that a district with 55% BVAP was necessary to avoid liability under Section 5 of the Voting Rights Act. But the Court in another case summarized *Bethune-Hill's* findings as follows:

> [W]here we have accepted a State's "good reasons" for using race in drawing district lines, the State made *a strong showing of a pre-enactment analysis with justifiable conclusions*. In *Bethune-Hill*, the State established that the primary mapdrawer "discussed the district with incumbents from other majority-minority districts[,] … considered turnout rates, the results of the recent contested primary and general elections," and the district's large prison population. … The State established that it had performed a "functional analysis," and acted to achieve an "informed bipartisan consensus."

Abbott v. Perez, 138 S. Ct. 2305, 2335 (2018) (emphasis added). Significantly, the Court in *Abbott* rejected a proposed justification for a race-based district where the State of Texas

AMERICAN OVERSIGHT

argued that it was necessary to comply with Section 2 of the Voting Rights Act, but had not made the required strong showing. *Id*. at 2334. Similarly, in *Cooper v. Harris*, 137 S. Ct. 1455, 1470 (2017), the Court rejected a claim that a race-based district was necessary to comply with Section 2 when the State of North Carolina could not show the preconditions required to make such a claim.

Turning to Congressional District 3 in the proposed plan, I believe it will be vulnerable to a serious—and probably a winning—*Shaw*-type claim under the Fourteenth Amendment. I understand that there will be little dispute that the district was drawn with its racial characteristics as the predominant consideration. I also understand that the shape of the district will be well-explained by the effort to include African-American populations around Tallahassee and Jacksonville. Moreover, the district clearly violates traditional districting criteria. Its Popper-Polsby score is 10%, and its Reock score is 11%. These are very low compactness scores for any U.S. congressional district, and in both cases these are the lowest compactness scores in the State of Florida.[4]

I also believe that the defenders of District 3 will be unable to justify the district so as to satisfy their burden of strict scrutiny. To begin with, I am unaware of the existence of any sort of "a strong showing of a pre-enactment analysis with justifiable conclusions." *Abbott*, 138 S. Ct. at 2335. But further, even if the race-based character of the districts could be justified under federal or Florida law, the district's noncompactness will compel the legal conclusion that it is not "narrowly tailored" to achieve its goals, as it must be to satisfy strict

[4] District 3 also has the third worst Area/Convex Hull score in the State. However, I do not consider the Area/Convex Hull test to be a reliable compactness measure. There are too many district indentations and distortions it simply cannot "see." Accordingly, it is too forgiving.

AMERICAN OVERSIGHT

scrutiny. *See Miller*, 515 U.S. at 921 ("The congressional plan challenged here was not required by the Voting Rights Act under a correct reading of the statute.").

As a final point, the fact that the BVAP in District 3 is at around 44% according to the House Committee's online information (or 42% according to the Princeton Gerrymandering Project) will defeat the State's ability to justify the district. The Supreme Court has held that no Section 2 claim is possible where the minority VAP is less than 50%. *Bartlett v. Strickland*, 556 U.S. 1, 19-20 (2009) ("It remains the rule … that a party asserting § 2 liability must show by a preponderance of the evidence that the minority population in the potential election district is greater than 50 percent."). The Supreme Court has at least suggested that the same rule applies in the context of Section 5. *Perry v. Perez*, 565 U.S. 388, 398-99 (2012) ("The court's order suggests that it may have intentionally drawn … a 'minority coalition opportunity district' in which the court expected two different minority groups to band together to form an electoral majority"; and, if so, "it had no basis for doing so. *Cf. Bartlett* …"). *See also In re Senate Joint Resolution of Legislative Apportionment* 1176, 83 So. 3d 597, 625 (2012) ("Just as Section 2 jurisprudence guides the Court in analyzing the state vote dilution claims, when we interpret our state provision prohibiting the diminishment of racial or language minorities' ability to elect representatives of choice, we are guided by any jurisprudence interpreting Section 5.").

In sum, if I were asked by a client whether Congressional District 3 complies with the federal constitution, my answer would be an emphatic no.

R. D. P.

AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	"Leda.Kelly@myfloridahouse.gov"; "Donna.Ellerkamp@myfloridahouse.gov"
Cc:	tyler.sirois myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; "Kelly.Skidmore@myfloridahouse.gov"; christopher.benjamin@myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; Fabricio, Tom; elizabeth.fetterhoff myfloridahouse.gov; Giallombardo, Mike; "Joe.Harding@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; dotie.joseph myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; "Daisy.Morales@myfloridahouse.gov"; daniel.perez myfloridahouse.gov; scott.plakon myfloridahouse.gov; David.Silvers myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; Trabulsy, Dana; jayer.williamson myfloridahouse.gov; Maggard, Randy; lawrence.mcclure myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; mike.beltran myfloridahouse.gov
Subject:	Testimony
Date:	Friday, February 18, 2022 8:01:00 AM
Attachments:	Robert D. Popper Report - 2.18.2022.pdf

Leda,

Attached is the testimony from Robert Popper for todays committee hearing. I will bring copies early to the committee hearing so you have hard copies.

Please let me know if you have any questions.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

Robert D. Popper
Senior Attorney
Director, Voting Integrity
Judicial Watch, Inc.

February 18, 2022

My name is Robert D. Popper. I am a Senior Attorney and Director of voting integrity efforts at Judicial Watch, Inc. Judicial Watch is a Washington, D.C.-based public interest nonprofit dedicated to promoting transparency, accountability, and integrity in government, politics, and the law.

I was admitted to the Bar in New York in 1990, and I have been practicing as a litigator for 32 years. I have special knowledge and expertise in the area of voting law and have written both popular and scholarly articles on the subject.[1] I have particular expertise in the areas of racial and political gerrymandering. In 1991, with Professor Daniel Polsby, I wrote an article describing a mathematical way to measure the geographic compactness of congressional districts.[2] This standard is now known as the "Polsby/Popper" criterion and is one of the most widely used tests of district compactness. In 1997, I brought a lawsuit that ultimately led to New York's 12th Congressional District being enjoined as an unconstitutional racial

[1] *See, e.g., How H.R.1 Intends to Overturn Supreme Court Rulings on Elections*, THE HILL, March 21, 2021; *The Voter Suppression Myth Takes Another Hit*, WALL ST. J., December 28, 2014; *Florida Gets Another Chance to Appeal for the Right to Clean Voter Rolls, They Should Take It*, THE DAILY CALLER, December 11, 2014; *Political Fraud About Voter Fraud*, WALL ST. J., April 27, 2014; *Little-Noticed Provision Would Dramatically Expand DOJ's Authority at the Polls*, THE DAILY CALLER, March 28, 2014; and, with Professor Daniel D. Polsby, *Guinier's Theory of Political Market Failure*, 77 SOC. SCI. Q. 14 (1996); *Racial Lines*, NAT. REV. 53, February 20, 1995; *Ugly: An Inquiry into the Problem of Racial Gerrymandering Under the Voting Rights Act*, 92 MICH. L. REV. 652 (1993); *Gerrymandering: Harms and a New Solution*, Heartland Institute Monograph (1990).

[2] Daniel D. Polsby & Robert D. Popper, *The Third Criterion: Compactness as a Procedural Safeguard Against Partisan Gerrymandering*, 9 YALE L. & POL'Y REV. 301 (1991).

AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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In sum, if I were asked by a client whether Congressional District 3 complies with the federal constitution, my answer would be an emphatic no.

R. D. P.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Randy.Fine myfloridahouse.gov
Subject: Thursday
Date: Wednesday, April 6, 2022 1:18:00 PM
Attachments: Medal of Freedom-Benjamin Ferencz 4-7-22.pdf

Chairman,
Here is the invite for Thursday…You should have gotten it yesterday….let me know if you can make it.
Stephanie

AMERICAN OVERSIGHT

Please join

Governor of the State of Florida
Ron DeSantis

in honoring

Benjamin Ferencz
Prosecutor, Nuremberg Trials

Florida Atlantic University Student Union
Grand Palm Room
1995 Dade Ave #1973
Boca Raton, FL 33431

On Thursday, April 7, 2022
3:00 p.m.
Arrive by 2:30pm

To RSVP, please follow the instructions in the email.

This invite is non-transferrable.

AMERICAN OVERSIGHT

From: Rinaldi, Angelique
To: Newman, Ryan
Cc: Ortega, Annie
Subject: 18th Judicial Circuit Court Judge Recommendation - Jigisa Patel-Dookhoo
Date: Friday, April 15, 2022 11:44:08 AM
Attachments: image001.png
Sirois Judicial Appointment Recommendation for Jigisa Patel-Dookhoo - Electronic.doc.pdf
Importance: High

Good afternoon Mr. Newman,

Please accept the attached letter of recommendation for Ms. Jigisa Patel-Dookhoo on behalf of Representative Tyler Sirois. Please let us know if you have any questions pertaining to this recommendation.

Thank you,

Angelique Rinaldi

Legislative Assistant
District: 321-449-5111
Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51
Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000244

AMERICAN OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

April 15, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

RE: Judicial Letter of Recommendation for Ms. Jigisa Patel – Dookhoo

It would be my honor to recommend Ms. Jigisa Patel- Dookhoo as a Circuit Court Judge for the 18th Judicial Circuit.

Throughout the 26 years I have known Jigisa Patel- Dookhoo, I have witnessed her relentless efforts to achieve her goal of becoming a Circuit Judge by building ties with the community, sharpening her leadership ability, and gaining hands-on experience at the State Attorney's Office.

As Jigisa's friend and colleague, I ensure you she is loyal, respectful, and dependable. In her personal and professional life, Jigisa demonstrates critical analytical skills, is well organized, communicates clearly, and absorbs an exorbitant amount of information quickly. Jigisa never fails to serve and protect her community in and outside of the courtroom.

Jigisa enjoys and excels in her career, which is exhibited by her dedication to the State Attorney's Office for approximately eleven years. Jigisa consistently works late to ensure she is prepared for the courtroom, conducts herself in a professional and friendly manner in the office, and possesses an eager willingness to learn. I, along with attorneys and support staff, have worked closely with Ms. Patel-Dookhoo and can attest to her excellent character and leadership qualities. I can confidently say she possesses the qualities that every Circuit Court Judge should aspire to have; she manages complex cases involving survivors of atrocious and violent crimes, adheres to Florida law in her decision making, and responds efficiently to police agency inquiries.

I believe that Jigisa would be an incredible asset to the bench due to her contagious enthusiasm that encourages her team to work diligently to achieve a fair and just resolution and treat others the way they ought to be treated.

AMERICAN OVERSIGHT

It is my honor to recommend Jigisa Patel- Dookhoo for the 18th Circuit Court Judge vacancy. If you have any questions regarding Jigisa or this recommendation, please contact my office at (321) 449-5111. Thank you very much for your consideration.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From:	Rinaldi, Angelique
To:	Newman, Ryan
Cc:	Ortega, Annie
Subject:	18th Judicial Circuit Court Judge Recommendation - Joan Berry Nassar
Date:	Friday, April 15, 2022 11:42:41 AM
Attachments:	image001.png Sirois Judicial Appointment Recommendation for Joan Berry Nassar - Electronic.pdf
Importance:	High

Good afternoon Mr. Newman,

Please accept the attached letter of recommendation for Ms. Joan Berry Nassar on behalf of Representative Tyler Sirois. Please let us know if you have any questions pertaining to this recommendation.

Thank you,

Angelique Rinaldi

Legislative Assistant

District: 321-449-5111

Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51

Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000248

AMERICAN
OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

April 15, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

RE: Judicial Letter of Recommendation for Ms. Joan Berry Nassar

Dear Governor DeSantis,

It is my pleasure to recommend Joan Nassar's judicial appointment to the 18th Judicial Circuit Court vacancy created by the retirement of Judge Lisa Davidson.

Ms. Nassar graduated from University of South Carolina School of Law in 1990 and served as a member of the Student Bar Association and Christian Legal Society. Ms. Nassar began her career practicing family law in 1990. Since 1993, Ms. Nassar has been an active member of the Florida Bar Association in good standing, as well as a member of the Brevard County Bar Association.

In 1999, Ms. Nassar received the First Annual Young Lawyers Award for her tireless pursuit and practice of the highest ideals and tenets of the legal profession and consistently demonstrating character, competence and commitment – essential ingredients of professionalism in the field.

For the past 31 years, Ms. Nassar has been a small firm private practitioner, working to help clients through difficult times. Today, she has her own practice – Law Office of Joan Berry Nassar, P.A. – in Melbourne, Florida, where she helps families navigate family law as they find themselves in life-changing situations, such as divorce.

Ms. Nassar gives back to the Brevard community by offering pro bono legal assistance with Brevard County Legal Aid and volunteer legal representation in family law matters to residents at New Life Mission, a non-profit to equip homeless mothers and their families for generations.

Ms. Nassar possesses a strong Christian value system, believes in the importance of treating others the way she would like to be treated, and believes everyone deserves to be listened to with respect. I believe these values will guide her well as an 18th Judicial Circuit Court Judge.

AMERICAN OVERSIGHT

I believe Ms. Nassar's years of experience and skill set would make her an asset to the 18th Judicial Circuit Court. For these reasons and more, I strongly recommend Ms. Nassar for this vacancy. If you have any further questions, feel free to contact me at (321) 449-5111.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From:	Rinaldi, Angelique
To:	Newman, Ryan
Cc:	Ortega, Annie
Subject:	18th Judicial Circuit Court Judge Recommendation - Joan Berry Nassar
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AMERICAN OVERSIGHT

20-0378-A-000252

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RE: Judicial Letter of Recommendation for Ms. Joan Berry Nassar

Dear Governor DeSantis,

It is my pleasure to recommend Joan Nassar's judicial appointment to the 18th Judicial Circuit Court vacancy created by the retirement of Judge Lisa Davidson.

Ms. Nassar graduated from University of South Carolina School of Law in 1990 and served as a member of the Student Bar Association and Christian Legal Society. Ms. Nassar began her career practicing family law in 1990. Since 1993, Ms. Nassar has been an active member of the Florida Bar Association in good standing, as well as a member of the Brevard County Bar Association.

In 1999, Ms. Nassar received the First Annual Young Lawyers Award for her tireless pursuit and practice of the highest ideals and tenets of the legal profession and consistently demonstrating character, competence and commitment – essential ingredients of professionalism in the field.

For the past 31 years, Ms. Nassar has been a small firm private practitioner, working to help clients through difficult times. Today, she has her own practice – Law Office of Joan Berry Nassar, P.A. – in Melbourne, Florida, where she helps families navigate family law as they find themselves in life-changing situations, such as divorce.

Ms. Nassar gives back to the Brevard community by offering pro bono legal assistance with Brevard County Legal Aid and volunteer legal representation in family law matters to residents at New Life Mission, a non-profit to equip homeless mothers and their families for generations.

Ms. Nassar possesses a strong Christian value system, believes in the importance of treating others the way she would like to be treated, and believes everyone deserves to be listened to with respect. I believe these values will guide her well as an 18th Judicial Circuit Court Judge.

AMERICAN OVERSIGHT

I believe Ms. Nassar's years of experience and skill set would make her an asset to the 18th Judicial Circuit Court. For these reasons and more, I strongly recommend Ms. Nassar for this vacancy. If you have any further questions, feel free to contact me at (321) 449-5111.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From: Rinaldi, Angelique
To: Newman, Ryan
Cc: Ortega, Annie
Subject: 18th Judicial Circuit Court Judge Recommendation - Jigisa Patel-Dookhoo
Date: Friday, April 15, 2022 11:44:08 AM
Attachments: image001.png
Sirois Judicial Appointment Recommendation for Jigisa Patel-Dookhoo - Electronic.doc.pdf
Importance: High

Good afternoon Mr. Newman,

Please accept the attached letter of recommendation for Ms. Jigisa Patel-Dookhoo on behalf of Representative Tyler Sirois. Please let us know if you have any questions pertaining to this recommendation.

Thank you,

Angelique Rinaldi

Legislative Assistant

District: 321-449-5111

Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51

Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000256

AMERICAN OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

April 15, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

RE: Judicial Letter of Recommendation for Ms. Jigisa Patel – Dookhoo

It would be my honor to recommend Ms. Jigisa Patel- Dookhoo as a Circuit Court Judge for the 18th Judicial Circuit.

Throughout the 26 years I have known Jigisa Patel- Dookhoo, I have witnessed her relentless efforts to achieve her goal of becoming a Circuit Judge by building ties with the community, sharpening her leadership ability, and gaining hands-on experience at the State Attorney's Office.

As Jigisa's friend and colleague, I ensure you she is loyal, respectful, and dependable. In her personal and professional life, Jigisa demonstrates critical analytical skills, is well organized, communicates clearly, and absorbs an exorbitant amount of information quickly. Jigisa never fails to serve and protect her community in and outside of the courtroom.

Jigisa enjoys and excels in her career, which is exhibited by her dedication to the State Attorney's Office for approximately eleven years. Jigisa consistently works late to ensure she is prepared for the courtroom, conducts herself in a professional and friendly manner in the office, and possesses an eager willingness to learn. I, along with attorneys and support staff, have worked closely with Ms. Patel-Dookhoo and can attest to her excellent character and leadership qualities. I can confidently say she possesses the qualities that every Circuit Court Judge should aspire to have; she manages complex cases involving survivors of atrocious and violent crimes, adheres to Florida law in her decision making, and responds efficiently to police agency inquiries.

I believe that Jigisa would be an incredible asset to the bench due to her contagious enthusiasm that encourages her team to work diligently to achieve a fair and just resolution and treat others the way they ought to be treated.

AMERICAN OVERSIGHT

It is my honor to recommend Jigisa Patel- Dookhoo for the 18th Circuit Court Judge vacancy. If you have any questions regarding Jigisa or this recommendation, please contact my office at (321) 449-5111. Thank you very much for your consideration.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From: Sirois, Tyler
To: Kopelousos, Stephanie
Subject: Accepted: Mtg w/Rep. Sirois

AMERICAN OVERSIGHT

From: Rinaldi, Angelique
To: Kopelousos, Stephanie
Subject: Accepted: Mtg w/Rep. Sirois

AMERICAN OVERSIGHT

From: Sirois, Tyler
To: Kopelousos, Stephanie
Subject: Fwd: Sirois FY 2022-23 Budget
Date: Thursday, March 24, 2022 11:48:16 AM

Sirois FY 2022-23 Budget:

- **Ocean Research and Conservation Association Kilroy Monitoring Systems in the Indian River Lagoon - $750,000** (Line 1641, pg. 271) (Mayfield)
- **Cocoa Beach Muck Dredging and Capping - $12,000,000** (Line 1650A, pg. 273) (Mayfield)
- **Homeless Veterans Housing Assistance in Brevard County (NVHS) - $100,000** (Line 350, pg. 99) (Mayfield)
- **Circles of Care - Transportation Resources (Accessing Services to Mentally Ill and Substance Abuse Disorder Patients) - $750,000** (Line 372, pg. 104) (Wright)
- **Promise, Inc. Treasures Gift Shoppe to Employ Special Needs Community - $200,000** (Line 247A, pg. 82) (Mayfield)
- **Brevard Reentry Portal - $750,000** (Line 726, pg. 158) (Wright)
- **Firefighting Program at Palm Bay Magnet High School - $980,000** (Line 108, pg. 33) (Mayfield)
- **Eastern Florida State College - Center for Innovative Technology Education (CITE) - $19,740,000** (Funds from COVID-19 State Fiscal Recovery Fund from American Recovery Act, pg. 497) (Mayfield)

AMERICAN OVERSIGHT

From:	Rinaldi, Angelique
To:	Kopelousos, Stephanie
Cc:	tyler.sirois myfloridahouse.gov
Subject:	Gov. DeSantis tasked with filling vacancy on Brevard Commission created by Lober"s resignation - from Florida Today
Date:	Thursday, March 31, 2022 1:17:51 PM

Gov. DeSantis tasked with filling vacancy on Brevard Commission created by Lober's resignation

Several prominent local Republicans say former Florida Rep. Tom Goodson appears to be among the leading contenders being pushed for the position.

Check out this story on floridatoday.com:
https://www.floridatoday.com/story/news/local/2022/03/29/desantis-tasked-filling-lobers-vacancy-county-commission/7202891001/

AMERICAN OVERSIGHT

From: Fine, Randy
To: Kopelousos, Stephanie
Subject: Re: Thursday
Date: Wednesday, April 6, 2022 2:15:40 PM
Attachments: Medal of Freedom-Benjamin Ferencz 4-7-22.pdf

I will not be attending.

Sent from my iPhone

> On Apr 6, 2022, at 1:18 PM, Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com> wrote:
>
> **EXTERNAL EMAIL:** This email originated from outside of the Legislature. USE CAUTION when clicking links or opening attachments unless you recognize the sender and know the content is safe.
>
> Chairman,
> Here is the invite for Thursday…You should have gotten it yesterday….let me know if you can make it.
> Stephanie
> Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

Please join

Governor of the State of Florida
Ron DeSantis

in honoring

Benjamin Ferencz
Prosecutor, Nuremberg Trials

Florida Atlantic University Student Union
Grand Palm Room
1995 Dade Ave #1973
Boca Raton, FL 33431

On Thursday, April 7, 2022
3:00 p.m.
Arrive by 2:30pm

To RSVP, please follow the instructions in the email.

This invite is non-transferrable.

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-000264

From: Rinaldi, Angelique
To: Newman, Ryan
Cc: Ortega, Annie
Subject: Representative Sirois Judicial Appointment Recommendation
Date: Tuesday, March 22, 2022 11:08:13 AM
Attachments: image001.png
Sirois Judicial Appointment Letter for Lorelie Brannan - Electronic.doc.pdf

---

Good afternoon Mr. Newman,

Please accept the attached judicial appointment recommendation from Representative Tyler Sirois on behalf of Mrs. Lorelie Brannan. Please let us know if you have any questions.

Thank you,

Angelique Rinaldi

Legislative Assistant
District: 321-449-5111
Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51
Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000266

AMERICAN OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

March 22, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

RE: Judicial Letter of Recommendation for Mrs. Lorelie Brannan

Dear Governor DeSantis,

It is my pleasure to recommend that Lorelie Brannan be appointed to the Eighth Judicial Circuit Court. I believe Mrs. Brannan is well suited for this position and has the same judicial philosophy as the Governor.

Lorelie Brannan has been a prosecutor for the Eighth Judicial Circuit for over 14 years. Mrs. Brannan graduated Loyola University New Orleans School of Law in May of 2007, with the Moot Court Staff Member and Outstanding Senior Award, an Amicus Curiae, U.S. v. Roberson, United States Court of Appeals for the Armed Forces, a Student Bar Association President's Award, and was the president of several clubs including a supporting Asian Pacific Law Student association. Mrs. Brannan was admitted to practice law in September 2007 and has held an outstanding record.

In addition to being Board Certified in Criminal Trial Law, Mrs. Brannan also sits on the Eighth Judicial Circuit Unlicensed Practice of Law Circuit Committee, the Florida Bar committee that reviews complaints and challenges of attorneys being accused of practicing without a license. Mrs. Brannan serves as a mentor for younger attorneys and will work hard for the Eighth Judicial Circuit. Through observational skills, detail-oriented thinking, and great passion for the law, Mrs. Brannan has demonstrated a commitment to justice through her work in Baker County over the last 14 years.

I highly recommend Lorelie Brannan for this judicial appointment. If you have any further questions, feel free to contact me at (321) 449-5111.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From:	Rinaldi, Angelique
To:	Newman, Ryan
Cc:	Ortega, Annie
Subject:	Representative Sirois Judicial Appointment Recommendation
Date:	Tuesday, March 22, 2022 11:08:13 AM
Attachments:	image001.png Sirois Judicial Appointment Letter for Lorelie Brannan - Electronic.doc.pdf

Good afternoon Mr. Newman,

Please accept the attached judicial appointment recommendation from Representative Tyler Sirois on behalf of Mrs. Lorelie Brannan. Please let us know if you have any questions.

Thank you,

Angelique Rinaldi

Legislative Assistant

District: 321-449-5111

Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51

Florida House of Representatives

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AMERICAN OVERSIGHT

20-0378-A-000269

AMERICAN
OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

March 22, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

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I highly recommend Lorelie Brannan for this judicial appointment. If you have any further questions, feel free to contact me at (321) 449-5111.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From:	Rinaldi, Angelique
To:	Newman, Ryan
Cc:	Ortega, Annie
Subject:	Representative Sirois Judicial Appointment Recommendation
Date:	Tuesday, March 22, 2022 11:08:14 AM
Attachments:	image001.png Sirois Judicial Appointment Letter for Lorelie Brannan - Electronic.doc.pdf

Good afternoon Mr. Newman,

Please accept the attached judicial appointment recommendation from Representative Tyler Sirois on behalf of Mrs. Lorelie Brannan. Please let us know if you have any questions.

Thank you,

Angelique Rinaldi

Legislative Assistant

District: 321-449-5111

Tallahassee: 850-717-5051

Representative Tyler I. Sirois, District 51

Florida House of Representatives

Florida has a very broad public records law. Most written communication to or from state officials regarding state business are considered to be public record and will be made available to the public and the media upon request. Your email message may, therefore, be subject to public disclosure.

AMERICAN OVERSIGHT

20-0378-A-000272

AMERICAN OVERSIGHT

Florida House of Representatives

Representative Tyler I. Sirois

District 51

District Office:
260 North Tropical Trail
Suite 206
Merritt Island, FL 32953
(321) 449-5111

Tallahassee Office:
400 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
(850) 717-5051

March 22, 2022

The Honorable Ron DeSantis
Executive Office of Governor Ron DeSantis
The Capitol, PL-05
400 South Monroe Street
Tallahassee, Florida 32399-0001

RE: Judicial Letter of Recommendation for Mrs. Lorelie Brannan

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I highly recommend Lorelie Brannan for this judicial appointment. If you have any further questions, feel free to contact me at (321) 449-5111.

Sincerely,

Tyler Sirois

AMERICAN OVERSIGHT

From: Benedict, Stephanie
To: Kopelousos, Stephanie
Subject: Signed HB 3
Date: Friday, April 1, 2022 3:21:58 PM

Hi Stephanie!!! Hope you're doing well!! Great morning in Titusville!! Rep. Leek would like to get one of those fancy signed copies of HB 3. Can you point me where we order or request one of those?

Stephanie Benedict, Legislative Aide
Representative Tom Leek, District 25
stephanie.benedict@myfloridahouse.gov
386-238-4875 (District)
850-717-5025 (Capitol)

Sent from my iPhone

AMERICAN OVERSIGHT

From: Benedict, Stephanie
To: Kopelousos, Stephanie
Subject: THANK YOU!
Date: Friday, February 11, 2022 8:15:15 AM
Attachments: image001.png

Hey there! It was great seeing you yesterday, thank you so much for all your help arranging the photo for Liz (which I luckily got to tag along for!!). Will the professional ones be posted on the governor's smugmug page? Wanted to make sure Liz and Rep. Leek's brother (and me!) knew where to find them. ☺

Thanks again!

Stephanie Wohlford Benedict, *Legislative Aide*
Representative Tom Leek, District 25

District Office: 386-238-4865
1540 Cornerstone Blvd., Ste. 240
Daytona Beach, FL 32117
Capitol Office: 850-717-5025
402 House Office Building

AMERICAN OVERSIGHT

HOUSE OF REPRESENTATIVES
FLORIDA

From: Tuck, Kaylee
To: Kopelousos, Stephanie
Subject: Tuck 2022 Appropriation Projects
Date: Wednesday, March 16, 2022 8:46:34 AM

Tuck Appropriations:

1. Okeechobee Special Facility Construction Account Projects - HB 4743 - $15,609,863
2. South Florida State College Clinical Immersion Center - HB 4783 - $1,400,000
3. Moore Haven Caloosahatchee River Area Water Quality Stormwater Improvements - HB 4761 - $934,960
4. Spring Lake/Sebring Airport Area Fire Rescue Station - HB 4781 - $3,000,000
5. Okeechobee Utility Authority Treasure Island Septic to Sewer Infrastructure - HB 4765 - $3,500,000
6. Partners 4 Safe Families - HB 4739 - $362,310
7. Lykes Regional Water Solutions Turkey Branch Water Storage and Treatment - HB 4741 - $1,250,000
8. Okeechobee Livestock and Expo Building - HB 4763 - $2,000,000
9. Okeechobee Taylor Creek SE 8th Avenue Stormwater Conveyance Improvements Phase 2 - HB 4759 - $240,000
10. UF College of Veterinary Medicine - HB 4755 - 3,000,000
11. Indian River Lagoon Seagrass Restoration Project - HB 4779 - $1,400,000

AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: Article
Date: Thursday, February 24, 2022 9:47:53 AM
Attachments: image001.png
SB 1184 Free Speech California.pdf

It scanned upside down and I have tried to resave it, but . . . .

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451

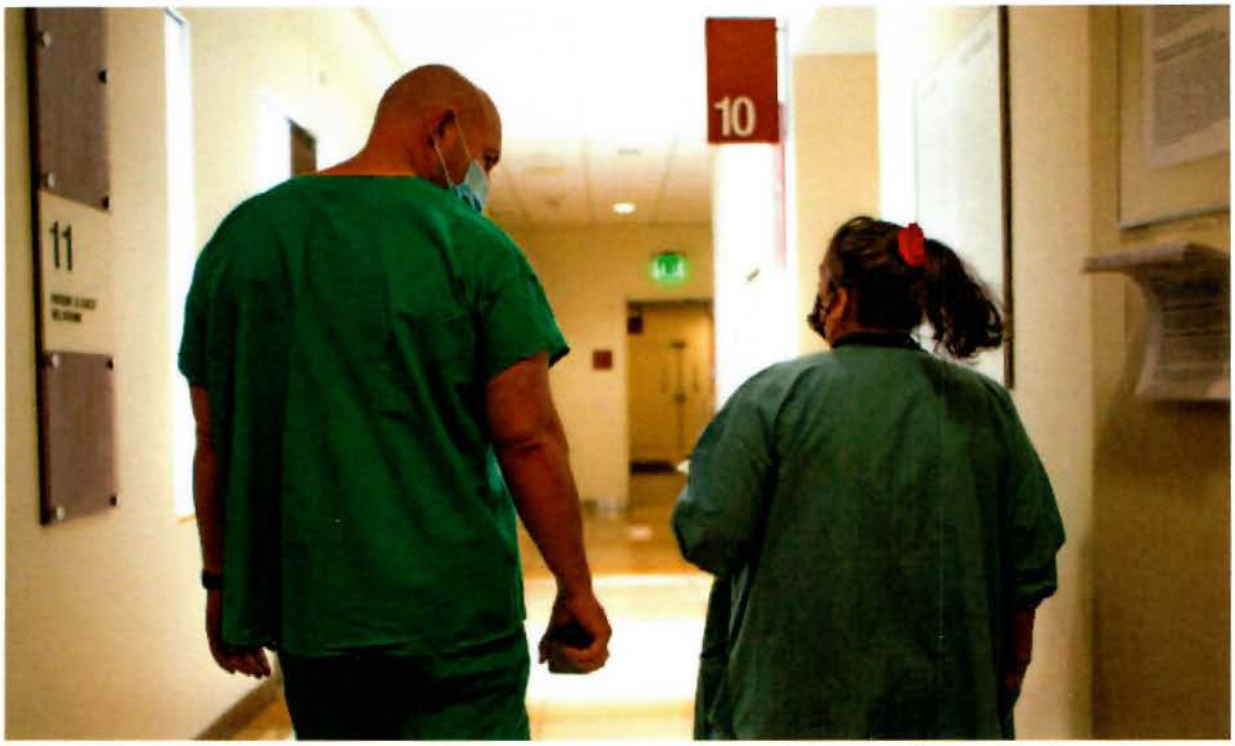
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

THE EPOCH TIMES



Hospital staff members walk down a hall at UCI Medical Center in Orange., Calif., on Dec. 16, 2020. (John Fredricks/The Epoch Times)

SOUTHERN CALIFORNIA

California Doctors Warn Against COVID-19 Censorship Bill

By Vanessa Serna | February 22, 2022 Updated: February 23, 2022

A A Print

Some medical professionals are vowing to fight a possible new California law that attempts to threaten their medical licenses for spreading "COVID-19 misinformation"—calling the effort "unconstitutional" and "illegal."

California Assemblyman Evan Low (D-Campbell) introduced Assembly Bill (AB) 2098 on Feb. 15, which would prevent licensed physicians and surgeons from spreading COVID-19 misinformation. If passed, the law would inject disciplinary actions by the Medical Board of California or the Osteopathic Medical Board of California to care providers promoting alleged misinformation.

"The idea that they're going to come after physicians that spread misinformation, without defining what misinformation is, [is] frightening," Physician Dr. Jeff Barke told The Epoch Times.

AMERICAN OVERSIGHT FL-GOV-22-0226, 20-0378-A-000280

Dr. Jeff Barke in Tustin, Calif., on March 10, 2021. (John Fredricks/The Epoch Times)

Amid the pandemic, Barke was among the minority of health care professionals unafraid of challenging the science behind masks and vaccinations pushed by the California Department of Public Health and Center for Disease Control and Prevention--urging for individual freedom of choice.

Barke, a private practice physician in Newport Beach, has continuously fought against COVID-19 mandates and has urged for California schools to reopen–saying children are statistically unlikely to die due to the virus.

While Barke is against the mandates–especially lingering COVID-19 vaccine mandates for kids–he reassures that he is not anti-vaccine.

As the threat of censorship lingers among some health professionals, Barke said he fears scientific studies are at risk–as those who have challenged vaccines and masks will be potentially forced into compliance.

"Science is not about consensus. It's not about agreement. It's about sharing and debating ideas," Barke said. "That sharing and debating ideas has not been allowed during the COVID crisis."

The COVID-19 Moderna vaccination was prepared at Lestonnac Free Clinic in Orange, Calif., on March 9, 2021. (John Fredricks/The Epoch Times)

Mark McDonald, a private practice psychiatrist in Los Angeles, said he is unfazed by the proposed bill–stating he will continue to voice his opinion against COVID-19 mandates until he is chased out of the state.

"If they want to challenge me, then I'll take them to court," McDonald told The Epoch Times. "We're going into year three of this nonsense and I think when you stand up and you don't give an inch, in most cases, the bullies are actually cowards, and they will collapse."

McDonald has repeatedly spoken out against the COVID-19 vaccine, masks, social distancing mandates, and school closures at in-person events or on social media. Most of what he put online was either flagged as misinformation or removed, he said.

AMERICAN OVERSIGHT

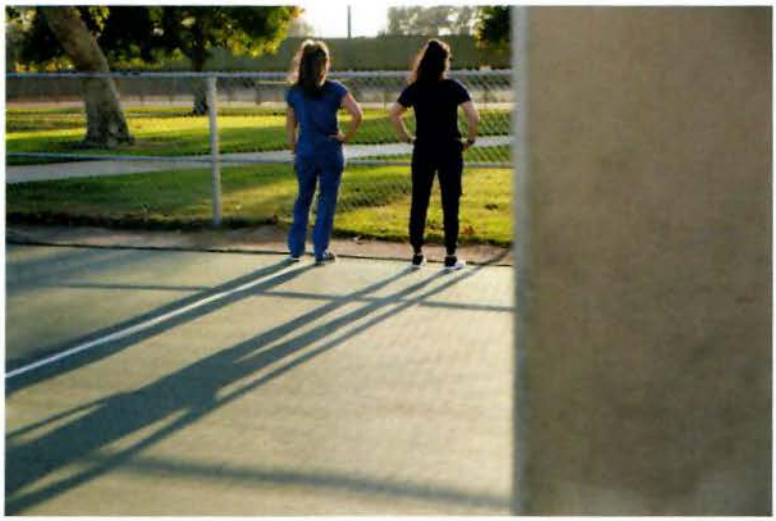
Privacy - Terms
FL-GOV-22-0226, 20-0378-A-000281

Nevertheless, McDonald has persisted.

"All doctors really need to stand up and do what's right, rather than cower in fear and censor their words," McDonald said.

While leaving the state to avoid losing his license is an option, McDonald said he plans on staying.

"As long as there is something to fight for, you should stay where you are and fight," McDonald said. "I think California still has some good left in it. Not much, but it still has some good and as long as something can be salvaged, I think those who are fighters need to stay and fight."



Orange County nurses choosing not to receive coronavirus vaccinations gather in Huntington Beach, Calif., on Sept. 2, 2021. (John Fredricks/The Epoch Times)

Aside from AB 2098, state officials are requesting support from lawmakers to create a new department to push back against COVID-19 misinformation, Gov. Gavin Newsom announced Feb. 17.

"We will continue to call it out," Newsom said. "We ask people [who] continue to promote lies and misinformation."

Cited in the proposed bill, misinformation refers to the spread of information that opposes the "safety" of vaccines as confirmed through evaluation by the Food and Drug Administration.

"The spread of misinformation and disinformation about COVID-19 vaccines has weakened public confidence and placed lives at serious risks," the legislation reads.

The legislation further elaborates on how "major news outlets" have reported on "dangerous" and "inaccurate information" about the vaccines.

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Privacy - Terms

AMERICAN OVERSIGHT FL-GOV-22-0226, 20-0378-A-000282

From:	Gilley, Janice
To:	Kopelousos, Stephanie; Swonson, Bethany; Mizereck, Kathy; Hess-Sitte, Allison; Bell, Victoria; Goyins, Sadie; Gilley, Janice
Cc:	Elwell, Tim; Brill, Victoria; Bouck, Matthew
Subject:	Discuss Issues related to Graduation
Date:	Wednesday, February 16, 2022 12:57:55 PM
Attachments:	image001.png
Importance:	High

Good afternoon All,

Senator Broxson would like to see if you are available to come by the office at 2:30 should Education Approps adjourn early? I am sending an updated invite.

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451

418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

From: Gilley, Janice on behalf of Broxson.Doug
To: Kopelousos, Stephanie; Swonson, Bethany; Mizereck, Kathy; Hess-Sitte, Allison
Subject: Discuss Issues related to Graduation

AMERICAN OVERSIGHT

From:	Gilley, Janice on behalf of Broxson.Doug
To:	Kopelousos, Stephanie; Swonson, Bethany; Mizereck, Kathy; Hess-Sitte, Allison; Bell, Victoria; Goyins, Sadie; Gilley, Janice
Cc:	Elwell, Tim; Brill, Victoria; Bouck, Matthew
Subject:	Discuss Issues related to Graduation

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01219 Surveyors - Elevation Certificates
Date: Tuesday, January 4, 2022 10:01:43 AM
Attachments: Draft 01219 Surveyors Elevation Certificates.docx

---

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01219-22

A bill to be entitled

An act relating to elevation certificates; amending s. 472.0366, F.S.; requiring surveyors and mappers, beginning on a specified date, to submit copies of completed elevation certificates to the Division of Emergency Management within the Executive Office of the Governor; requiring the division to determine the format of such certificate and outline certificate requirements on the division's website; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 472.0366, Florida Statutes, is amended to read:

472.0366 Elevation certificates; requirements for surveyors and mappers.—

(2) ~~Beginning January 1, 2017,~~ A surveyor and mapper shall, within 30 days after completion, submit to the division a copy of each elevation certificate that he or she completes. Beginning January 1, 2023, surveyors and mappers shall submit the elevation certificate copy to the division in a format determined by the division and outlined on the division's website. The copy must be unaltered, except that the surveyor and mapper may redact the name of the property owner. The copy need not be signed and sealed when submitted to the division; however, an original signed and sealed copy must be retained in the surveyor and mapper's records as prescribed by rule of the board.

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Section 2. This act shall take effect July 1, 2022.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01233 Higher Ed Combined
Date: Tuesday, January 4, 2022 10:06:21 AM
Attachments: Draft 01233 Higher Ed Combined.docx

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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A bill to be entitled

An act relating to higher education; amending s. 1001.03, F.S.; providing that a Florida College System institution that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; creating s. 1001.644, F.S.; requiring the State Board of Education to develop and annually deliver a training program for its members and each Florida College System institution board of trustees; providing the purposes of the training; requiring each member of the State Board of Education and each member of a Florida College System institution board of trustees to participate in the training program within a specified timeframe; requiring specified content to be included in the training; authorizing the State Board of Education to adopt rules; amending s. 1001.71, F.S.; requiring public notice and agendas for state university boards of trustees meetings to be published in a specified manner; amending s. 1001.706, F.S.; deleting authorization for state university boards of trustees to adopt rules or regulations under certain circumstances; requiring the Board of Governors and state universities to publish notices of the proposed adoption, amendment, or repeal of regulations in a specified manner; making technical changes; requiring the Board of Governors to ensure that state university students have access to certain civic literacy courses

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and assessments; revising Board of Governors procedures for review and approval of certain programs; revising requirements for certain training the Board of Governors must develop and deliver; authorizing the Board of Governors to transfer certain unused appropriations if authorized by a specific appropriation in the General Appropriations Act; requiring the Chancellor of the State University System to immediately notify and regularly apprise the Governor and the Legislature if the Board of Governors determines that a state university president or board of trustees is under investigation regarding certain allegations; revising the Board of Governors' powers and duties relating to personnel; revising the Board of Governors' powers and duties relating to property; providing that a state university that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; making technical changes; creating s. 1001.725, F.S.; specifying requirements for university boards of trustees and university presidents relating to selection and reappointment of certain personnel; requiring each university president to annually present to his or her board of trustees the results of performance evaluations and associated salaries for certain personnel; amending s. 1004.03, F.S.; requiring the State Board of Education and the Board of Governors to establish, for the Florida College System and the State University System,

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respectively, a schedule for the regular review of postsecondary educational programs; specifying requirements for the reviews; providing for the usage of review results; requiring the State University System and Florida College System, to the extent possible, to coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration; amending s. 1004.04, F.S.; requiring the Commissioner of Education to conduct an audit of state-approved teacher preparation programs, processes, and systems; providing the purposes of the audit; specifying audit requirements; requiring the Commissioner of Education to submit to the Governor and the State Board of Education audit findings and recommendations at specified intervals; amending s. 1004.085, F.S.; requiring the Chancellor of the Florida College System and the Chancellor of the State University System, as applicable, to provide a summary of the information from institutions certifying their compliance with certain public posting requirements; amending s. 1007.24, F.S.; requiring the Commissioner of Education to recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses; revising the maintenance requirements of the statewide course numbering system; requiring certain postsecondary educational institutions to accept and apply general education

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courses and credit in a specified manner; requiring the State Board of Education to adopt rules; specifying requirements for the rules; amending s. 1007.25, F.S.; requiring faculty committees to submit reviews and recommendations on general education core courses to the Articulation Coordinating Committee and the Commissioner of Education at specified intervals; requiring public postsecondary students, beginning with a certain academic year, to complete certain courses as part of general education core course requirements; requiring all public postsecondary educational institutions to accept certain courses; creating s. 1007.55, F.S.; providing legislative findings; providing principles that specified entities must apply when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses; requiring students initially entering a public postsecondary educational institution in a specified school year to complete at least one core course in specified subject areas as part of general education core course requirements; specifying standards for core courses; requiring that, to the greatest extent possible, certain civic literacy courses be available as core courses in each of the general education subject areas; providing standards to be considered in the approval of a course as a general education course; requiring all public postsecondary educational institutions to offer all

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approved general education core courses; requiring general education courses to be accepted as such, in the same subject area, by all public postsecondary educational institutions; providing that public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, the general education course and general education core course requirements at their respective institutions; prohibiting public postsecondary educational institutions that fail to comply with certain requirements from receiving performance-based funding; amending s. 1008.32, F.S.; requiring the Commissioner of Education to consider any response to allegations of noncompliance received by the commissioner; granting the state board the authority to require that certain entities comply with specified requirements; amending s. 1008.322, F.S.; requiring the Chancellor of the State University System to consider any response to allegations of noncompliance received by the chancellor; granting the Board of Governors the authority to require that a university comply with specified requirements; creating s. 1008.325, F.S.; providing legislative intent; requiring the State Board of Education and the Board of Governors to determine each Florida College System institution's and each state university's eligibility, respectively, to receive performance-based funding; requiring the Chancellor of the Florida College System and the

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Chancellor of the State University System to publicly report to their respective state boards each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations; requiring the State Board of Education and the Board of Governors to report quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to state laws, rules, and regulations; requiring the State Board of Education or the Board of Governors, as applicable, to seek a remedy for any public postsecondary educational institution that is not in compliance; requiring the State Board of Education or the Board of Governors, as applicable, to withhold performance-based funding from a public postsecondary educational institution that is unable or unwilling to comply with applicable state laws, rules, or regulations; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.45, F.S.; revising the requirements of the Florida College System institution accountability process; amending s. 1008.46, F.S.; requiring the Board of Governors to address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees to address within its annual evaluation of its university president, the extent of system and institutional compliance with statutory and regulatory requirements

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of law, respectively; amending ss. 1009.23 and 1009.24, F.S.; prohibiting boards of trustees of Florida College System institutions and state universities, respectively, from increasing specified student fees after a specified date; providing that Florida College System institutions and state universities, respectively, may increase certain fees by a specified amount under certain conditions after a specified date; providing exceptions; requiring certain boards of trustees to report to the Chancellor of the State University system the total amount of revenue generated by certain fees by a specified date; requiring the Chancellors of the Florida College System and the State University System, respectively, to submit to the Governor and the Legislature a report concerning revenue generated by certain fees; specifying requirements for the report; requiring Florida College System institutions and state universities, respectively, to post specified information relating to tuition and fee rates and proposed changes to such rates on their websites and in a press release e-mailed to enrolled students; requiring each Florida College System institution and each state university to annually submit a fee schedule to the State Board of Education and the Board of Governors, respectively, for approval by a date established by State Board of Governors rule or Board of Governors regulation, respectively; requiring submission of an amended fee schedule under certain

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circumstances; amending s. 1011.81, F.S.; requiring the State Board of Education to collaborate with the Board of Governors in creating a template for use by Florida College System Institutions in creating an annual report on revenue sources; requiring that the report detail specified information; requiring Florida College System institutions to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the State Board of Education's website; revising the limitations imposed on the use of certain funds by Florida College System institutions; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.90, F.S.; requiring the Board of Governors to collaborate with the State Board of Education in creating a template for use by state universities in creating an annual report on revenue sources; requiring that the reports detail specified information; requiring state universities to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the Board of Governors' website; revising the limitations imposed on the use of certain funds by state universities; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.91, F.S.; authorizing the Chancellor of the State University System to monitor and

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periodically review university expenditures; amending s. 1012.80, F.S.; requiring policies adopted by Florida College System institutions and state universities to be adopted in accordance with State Board of Education rule and Board of Governors regulation, respectively; requiring such policies to include discretionary penalties for participation in disruptive activities at public postsecondary educational institutions; authorizing the State Board of Education or the Board of Governors, as applicable, to apply authorized sanctions after formal investigation has established that an employee of a public postsecondary educational institution has participated in disruptive activities; requiring the State Board of Education and the Board of Governors to jointly develop and codify in rule and regulation the term "disruptive activities"; amending ss. 1012.886 and 1012.976, F.S.; requiring the State Board of Education and the Board of Governors, respectively, to report to the Governor and the Legislature each public postsecondary educational institution's compliance with certain provisions by a specified date each year; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (d) is added to subsection (19) of section 1001.03, Florida Statutes, to read:

1001.03 Specific powers of State Board of Education.—

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(19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—

(d) A Florida College System institution that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.

Section 2. Section 1001.644, Florida Statutes, is created to read:

1001.644 Florida College System institution boards of trustees; training.—The State Board of Education shall develop and annually deliver a training program for its members and each Florida College System institution board of trustees which addresses the role and responsibilities of such boards and their executive leadership in overseeing the Florida College System and its institutional resources and in protecting the public interest.

(1) Each member of the State Board of Education and each member of a Florida College System institution's board of trustees shall participate in the training program within 1 year after appointment or reappointment.

(2) The training must include information on the responsibilities of the Governor and individual members of the State Board of Education, Florida College System institution board of trustees, and Florida College System institution executive leadership relating to all of the following:

(a) Meeting applicable statutory, regulatory, and fiduciary requirements.

(b) Establishing internal controls and accountability mechanisms for the Chancellor of the Florida College System, a

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Florida College System institution's president, and other administrative officials.

(c) Practicing oversight of a Florida College System institution's planning, construction, maintenance, expansion, and renovation projects.

(d) Establishing policies that promote college affordability, including ensuring that the costs of fees, textbooks, and instructional materials are minimized whenever possible.

(e) Creating and implementing systemwide rules and policies.

(f) Maintaining ethical standards and avoiding conflicts of interest.

(g) Implementing best practices for board governance.

(h) Understanding current national and state issues in higher education and in workforce education.

(i) Incorporating any additional board responsibilities that the State Board of Education finds to be necessary or appropriate.

(3) The State Board of Education may adopt rules to implement this section.

Section 3. Subsection (5) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(5) Public notice of board meetings and agendas for each meeting must be published prominently on the university's website and timely published in the Florida Administrative Register. Each university board of trustees shall keep and, within 2 weeks after a board meeting, publish ~~post~~ prominently

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on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.

Section 4. Paragraphs (b) and (c) of subsection (2), paragraphs (a) through (h) and (j) of subsection (3), subsection (4), paragraphs (f) and (g) of subsection (5), paragraphs (a) and (c) of subsection (6), and subsections (7), (8), and (11) of section 1001.706, Florida Statutes, are amended, and paragraph (d) is added to subsection (13) of that section, to read:

1001.706 Powers and duties of the Board of Governors.—

(2) REGULATORY AUTHORITY.—

(b) The Board of Governors shall be subject to the provisions of chapter 120 when acting pursuant to statutory authority derived from the Legislature, except that the Board of Governors may adopt regulations if expressly authorized or required by law. Such regulations must be adopted pursuant to a development procedure that complies with paragraph (c). ~~If the Board of Governors delegates a power or duty to a university board of trustees as the designee, the authority to adopt rules or regulations is included in the delegation. If the Board of Governors delegates a statutory power or duty to a university board of trustees, the university board of trustees shall be subject to the provisions of chapter 120 but may adopt regulations to the same extent as the Board of Governors under this subsection.~~

(c) The development procedure for regulations authorized or required by law must provide for notice to the public of, and an opportunity for public comment on, the proposed adoption,

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amendment, or repeal of a regulation; a process for a substantially affected person to challenge a statement of general applicability that has not been properly adopted as a regulation; a process for a substantially affected person to challenge an unlawful regulation; and a process for the adoption of and challenges to emergency regulations that are necessary to protect the public interest in the emergency. Judicial review shall be sought in the appellate district in which the headquarters of the Board of Governors is located or in which the main campus of the state university is located, as applicable. The regulation development procedure shall be published prominently on the websites of the Board of Governors and the state universities. Public notice of the Board of Governors' and the state universities' proposed adoption, amendment, or repeal of any regulation must be published prominently on the websites of the Board of Governors and the state universities and timely published in the Florida Administrative Register.

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

(a) The Board of Governors~~, or the board's designee,~~ shall adopt regulations ~~develop guidelines~~ and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ relating to divisions of sponsored research, pursuant to the provisions of s. 1004.22, to serve the function of administration and promotion of the programs of research.

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(c) The Board of Governors shall adopt regulations prescribing ~~prescribe~~ conditions for direct-support organizations and university health services support organizations to be certified and to use university property and services. Conditions relating to certification must provide for audit review and oversight by the Board of Governors.

(d) The Board of Governors shall adopt regulations ~~develop guidelines~~ for supervising faculty practice plans for the academic health science centers.

(e) The Board of Governors shall ensure that students at state universities have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23, and civic literacy courses and assessments, pursuant to s. 1007.25.

(f) The Board of Governors shall do all of the following:

1. Establish criteria for the review and approval of proposed new programs at state universities in accordance with s. 1004.03(1).

2. Approve baccalaureate degree programs that require more than 120 semester credit hours of coursework prior to such programs being offered by a state university. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

3. Establish a schedule, conduct program reviews, and consider recommendations resulting from the reviews conducted in accordance with s. 1004.03(3).

(g) The Board of Governors~~, or the board's designee,~~ shall adopt a written antihazing policy, appropriate penalties for

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violations of such policy, and a program for enforcing such policy.

(h) The Board of Governors shall review and approve each state university's~~, or the board's designee, may establish a~~ uniform code of conduct and ~~appropriate~~ penalties for violations of its regulations by students and student organizations, including regulations governing student academic honesty. Such penalties, unless otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with regulations or payment of fines, and the imposition of probation, suspension, or dismissal.

(j) The Board of Governors shall develop and annually deliver a training program for members of the Board of Governors and each state university board of trustees which ~~that~~ addresses the role and responsibilities of such boards and their executive leadership in governing institutional resources and protecting the public interest. At a minimum, each governor and trustee must participate in the training program within 1 year after ~~of~~ appointment or and reappointment to the Board of Governors or a university board of trustees, respectively. The program must include information on governor, trustee, and executive leadership responsibilities relating to all of the following:

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.

2. Establishing internal process controls and accountability mechanisms for the institution's president and other administrative officers.

3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university's

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consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.

4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.

5. Creation and implementation of institutionwide rules and regulations.

6. Institutional ethics and conflicts of interest.

7. Best practices for board governance.

8. Understanding current national and state issues in higher education.

9. Any other responsibilities the Board of Governors deems necessary or appropriate.

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(a) The Board of Governors~~, or the board's designee,~~ shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the constituent universities to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy requirements,

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guidelines, formats, and instruction for the development of individual university budget requests.

(c) The Board of Governors~~, or the board's designee,~~ shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26, unless otherwise provided in law.

(d) The Board of Governors~~, or the board's designee,~~ is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.

(e) The Board of Governors, if authorized by a specific appropriation in the General Appropriations Act, may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund, pursuant to s. 1011.4106(2), between institutions.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(f) If the Board of Governors of the State University System determines that a state university president or board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations. In such cases, the Chancellor of the State University System must immediately notify and regularly apprise the Governor, the President of the Senate, and the Speaker of the House of Representatives of the allegations and the status of the investigation.

(g) The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a), subject to the development procedure for regulations established under paragraph (2)(c). If

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not currently authorized, the Board of Governors may request authority from the Legislature to waive or modify specific statutory requirements, including percentages and dollar amount limitations in s. 1009.24, in order to reduce barriers and support the attainment of goals identified in institutional plans, as necessary for advancing system priorities and unique institutional priorities. Regulatory flexibilities authorized and statutory flexibilities authorized or requested by the Board of Governors pursuant to this paragraph must be included in the accountability plan prepared and submitted pursuant to paragraph (c).

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors~~, or the board's designee,~~ shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

(c)1. Except as otherwise provided by law, university employees are public employees for purposes of chapter 112, and any payment for travel and per diem expenses may ~~shall~~ not exceed the level specified in s. 112.061.

2. State university administrative employees are subject to the remuneration requirements of s. 1012.976.

(7) POWERS AND DUTIES RELATING TO PROPERTY.—

(a) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for

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the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority provided ~~the board of trustees~~ in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.

(c) The Board of Governors~~, or the board's designee,~~ shall

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administer a program for the maintenance and construction of facilities pursuant to chapter 1013.

(d) The Board of Governors~~, or the board's designee,~~ shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 are not ~~shall not be~~ subject to s. 287.09451.

(e) Notwithstanding ~~the provisions of~~ s. 253.025 but subject to ~~the provisions of~~ s. 1010.62, the Board of Governors~~, or the board's designee,~~ may, with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.

1. The Board of Governors~~, or the board's designee,~~ may secure appraisals and surveys. The Board of Governors~~, or the board's designee,~~ shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the Board of Governors~~, or the board's designee,~~ finds it necessary for timely property acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. The Board of Governors~~, or the board's designee,~~ may negotiate and enter into an option contract before an appraisal

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is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the Board of Governors~~, or the board's designee,~~ or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the Board of Governors ~~or the board's designee~~.

3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(f) The Board of Governors~~, or the board's designee,~~ shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(g) The Board of Governors~~, or the board's designee,~~ shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(h) Notwithstanding ~~the provisions of~~ s. 216.351, the Board of Governors~~, or the board's designee,~~ may authorize the rent or lease of parking facilities provided that such facilities are funded through parking fees or parking fines imposed by a university. The Board of Governors~~, or the board's designee,~~ may authorize a university board of trustees to charge fees for parking at such rented or leased parking facilities.

(8) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND

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REQUIREMENTS.—The Board of Governors has responsibility for complying with, and overseeing and ensuring the compliance of each state university president and board of trustees with, state and federal laws, rules, regulations, and requirements.

(11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of Governors may revoke or modify the scope of any power or duty it has delegated through regulatory action.

(13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—

(d) A state university that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.

Section 5. Section 1001.725, Florida Statutes, is created to read:

1001.725 University boards of trustees; personnel.—

(1) Each university board of trustees is responsible for hiring faculty. The president may provide hiring recommendations to the board; however, the president or the board is not bound by recommendations or opinions of faculty or other individuals or groups. The board may delegate its hiring authority to the president; however, the board shall approve or deny any selection by the president.

(2) Each university board of trustees shall confirm its president's selection and reappointment of the university's executive management team members and their respective contracts and annual salaries, in accordance with the university's personnel program established by the Board of Governors. Contracts and responsibilities of the president and executive team members, including, but not limited to, provost positions,

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must explicitly delineate that the duties of positions, other than the president, are limited to administrative oversight and operational supervision of curricular, instructional, and research affairs, as applicable to the position.

(3) Each university president shall annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of $100,000 or more.

Section 6. Subsection (3) is added to section 1004.03, Florida Statutes, to read:

1004.03 Program approval.—

(3) The State Board of Education and the Board of Governors shall establish, for the Florida College System and the State University System, respectively, a schedule for the regular review and evaluation of nondegree, certificate, nondegree certificate, associate degree, baccalaureate degree, and graduate degree academic programs to determine program adequacy, compliance, and performance. The schedule established must require such review to occur at least once every 3 years.

(a) Reviews conducted pursuant to this section, at a minimum, must determine program alignment and compliance with program subject area and course content, program length, general education requirements, and common prerequisite requirements established by faculty committees pursuant to ss. 1007.24, 1007.25, and 1007.55; confirm authorized and reasonable course and program fees; and affirm satisfactory attainment of student enrollment and student performance and outcomes.

(b) The results of program reviews conducted pursuant to this section must be used to inform the respective system

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chancellor's recommendation to the Commissioner of Education, the State Board of Education, and the Board of Governors, as applicable, regarding program continuation, corrective action, or termination. Each chancellor shall consult with the respective institution presidents regarding the results of the reviews before recommending actions. The chancellor shall solicit the input of the Articulation Coordinating Committee when recommended actions raise multijurisdictional program conflicts, in accordance with ss. 1007.25 and 1007.55.

(c) To the extent possible, the State University System and the Florida College System shall coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration.

Section 7. Present subsection (6) of section 1004.04, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(6) STATEWIDE TEACHER PREPARATION PROGRAM AUDIT.—The Commissioner of Education shall conduct an audit of state-approved teacher preparation programs, processes, and systems to determine their performance and identify opportunities for improvement. The audit applies to programs approved pursuant to this section, postsecondary educator preparation institutes approved pursuant to s. 1004.85, and professional development certification and education competency programs approved pursuant to s. 1012.56(8).

(a) The audit must include, but is not limited to:

1. An analysis of the programs to identify their

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performance in meeting the demands of the state's public schools.

2. An analysis of the programs to determine their impact on the production of quality teachers.

3. An analysis of the programs' accountability systems to identify programmatic strengths, weaknesses, and opportunities for improvement.

4. An evaluation of the initial and continued program approval processes, including a review of content and curriculum to ensure compliance with law and state board rules.

(b) The commissioner shall, by December 1, 2022, and by December 1 every 5 years thereafter, submit to the Governor and to the State Board of Education audit findings and recommendations, including, at minimum, recommendations regarding new or improved standards, curriculum, process, and accountability requirements.

Section 8. Subsection (7) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not

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able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions, including certification of compliance from each institution with the public posting requirements of this section, to the State Board of Education and the Board of Governors, as applicable.

Section 9. Present subsection (8) of section 1007.24, Florida Statutes, is redesignated as subsection (9) and amended, a new subsection (8) is added to that section, and subsections (3), (4), and (5) of that section are amended, to read:

1007.24 Statewide course numbering system.—

(3) The Commissioner of Education shall recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses. The State Board of Education, with input from the Board of Governors, shall approve the general education courses and the levels for the courses.

(4) The statewide course numbering system must be maintained electronically and regularly updated by the department and ~~shall~~ include the courses at the recommended levels, statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

(5) The registration process at each state university and Florida College System institution shall include the courses at their designated levels, ~~and~~ statewide course numbers, titles, credits awarded, and other identifiable information by

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institution and academic year, as required by state board rule.

(8) Participating postsecondary educational institutions receiving transfer course credit shall accept and apply general education courses and credit in accordance with this section, ss. 1007.25 and 1007.55, and other provisions of law, including credit earned through dual enrollment, course equivalencies, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

(9) ~~(8)~~ The State Board of Education shall adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty committee reviews and recommendations. At a minimum, the rules must address all of the following:

(a) Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course information.

(b) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, titles, designated levels, credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

(c) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency,

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civic literacy, or other course types, pursuant to ss. 1007.25 and 1007.55, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

(d) Purges of courses that are listed in the statewide course numbering system but have not been taught at an institution for the preceding 5 years. These rules must include waiver provisions that allow course continuation if an institution has reasonable cause for having not offered a course within the 5-year limit and an expectation that the course will be offered again within the following 5 years.

Section 10. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee and the commissioner for approval ~~identify~~ statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by December 1, 2022, and by December 1 every 3 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of s. 1007.55 and this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of

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communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised~~, or the five-course maximum within each subject area may be exceeded,~~ if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area, in accordance with s. 1007.55.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course, consistent with the principles, standards, and content requirements established in s. 1007.55.

(c) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded. Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements, in accordance with s. 1007.55(3).

(d) All public postsecondary educational institutions shall accept these courses as meeting general education core course

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requirements, regardless of whether the receiving institution offers the identical general education core course. The remaining general education course requirements shall be identified by each institution from among the authorized courses listed in the statewide course numbering system and reported to the department by their statewide course number.

(e) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section 11. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote democratic values through traditional, historically accurate, and high-quality coursework. Courses with a curriculum based on unproven, theoretical, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

(2) In performing their duties under ss. 1007.24 and 1007.25, the State Board of Education, Board of Governors, Commissioner of Education, Articulation Coordinating Committee, and faculty committees, when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses, shall apply the following principles:

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(a) General education courses must promote the philosophical underpinnings of Western civilization and include studies of this nation's historical documents, such as the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(b) General education courses may not suppress or distort significant historical events or include a curriculum that teaches identity politics, such as Critical Race Theory, or defines American history as contrary to the creation of a new nation based on universal principles stated in the Declaration of Independence.

(3) Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements.

(a) General education core courses must meet the following standards:

1. Communications courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking, through the engagement with the Western literary tradition.

2. Humanities courses must afford students the ability to think critically through mastering propositional logic and analyzing ethical arguments from classical works on logic, rhetoric, and ethics.

3. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific

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method to explain natural experiences and phenomena.

4. Social science courses must afford students an understanding of the basic principles of government of the American republic and conditions for the success of self-rule, including an understanding of basic behavioral science concepts used in sociology.

5. Mathematics courses must afford students a mastery of foundational mathematical and computational models and methods by applying such models and methods in problem solving.

(b) To the greatest extent possible, civic literacy courses established pursuant to s. 1007.25(5) must be available as core courses in each of the general education subject areas.

(4) To be considered for approval as a general education course, a course must be offered by at least half of all public postsecondary educational institutions. All public postsecondary educational institutions must offer all approved general education core courses. If a course is approved as a general education course, that course must be accepted as a general education course, in the same subject area, by all public postsecondary educational institutions.

(5) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course and general education core course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25, at their respective institutions. Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to s. 1008.325.

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Section 12. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 1008.32, Florida Statutes, are amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall consider any response to allegations of noncompliance which the commissioner receives. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule.

(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(b) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until

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the early learning coalition, school district, or Florida College System institution complies with the law or state board rule, including, but not limited to, complying with the requirements of s. 1008.325.

Section 13. Paragraph (a) of subsection (3) and paragraph (a) of subsection (5) of section 1008.322, Florida Statutes, are amended to read:

1008.322 Board of Governors oversight enforcement authority.—

(3)(a) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. The chancellor shall consider any response to allegations of noncompliance which the chancellor receives. The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation.

(5) If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:

(a) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation,

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including, but not limited to, complying with the requirements of s. 1008.325.

Section 14. Effective July 1, 2022, section 1008.325, Florida Statutes, is created to read:

1008.325 Public postsecondary educational institution funding eligibility conditioned on compliance with law.—

(1) The Legislature intends that the eligibility of public postsecondary educational institutions to receive discretionary state funding be contingent upon the receiving institution's compliance with applicable state laws, rules, and regulations, as determined by the State Board of Education and the Board of Governors, as applicable.

(2) The State Board of Education shall determine each Florida College System institution's eligibility to receive performance-based funding pursuant to ss. 1001.66 and 1001.67 and as prescribed in the General Appropriations Act, and other performance-based funding distributed by the state board, based on the institution's compliance with applicable state laws and rules.

(3) The Board of Governors shall determine each state university's eligibility to receive performance-based funding pursuant to ss. 1001.7065, 1001.92, and 1011.905, and other performance-based funding distributed by the board, based on the university's compliance with applicable state laws and regulations.

(4) The Chancellor of the Florida College System and the Chancellor of the State University System shall publicly report to the State Board of Education and the Board of Governors, respectively, each public postsecondary educational

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institution's compliance with applicable state laws, rules, and regulations.

(5) The State Board of Education and the Board of Governors shall report quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to applicable state laws, rules, and regulations. If a public postsecondary educational institution is not in compliance, the State Board of Education or the Board of Governors, as applicable, must seek a remedy to the noncompliance pursuant to s. 1008.32 or s. 1008.322.

(6) If a public postsecondary educational institution fails to comply with applicable state laws, rules, or regulations and is unwilling or unable to remedy its noncompliance, then the State Board of Education and the Board of Governors, respectively, must withhold the institution's performance-based funding until the institution returns to compliance.

(7) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to implement this section.

Section 15. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

(3) The State Board of Education shall address within the annual evaluation of the performance of the Chancellor of the Florida College System ~~executive director~~, and the Florida College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability

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process and the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section 16. Present subsection (2) of section 1008.46, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of teaching, research, and service inherent in the missions of the state universities.

(2) The Board of Governors shall address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees

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shall address within its annual evaluation of its university president, the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section 17. Subsection (7), paragraph (a) of subsection (8), subsection (10), paragraph (a) of subsection (11), paragraph (a) of subsection (12), subsection (15), paragraph (b) of subsection (16), subsection (17), paragraph (a) of subsection (18), and subsection (20) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(7) Each Florida College System institution board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee must ~~shall~~ be collected as a component part of the tuition and fees. The student activity and service fees must ~~shall~~ be paid into a student activity and service fund at the Florida College System institution and must ~~shall~~ be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the Florida College System institution without regard to race, sex, or religion. A ~~No~~ Florida College System institution may not ~~shall~~ be required to lower any activity and service fee approved by the board of trustees of the Florida College System institution and in effect prior to October 26, 2007, in order to comply with ~~the provisions of~~ this subsection. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a

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student activity and service fee established pursuant to this subsection.

(8)(a) Each Florida College System institution board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each Florida College System institution board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than $500,000. If the amount generated is less than $500,000, a Florida College System institution that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between $500,000 and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a financial aid fee established pursuant to this paragraph.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee must ~~shall~~ be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and

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developmental education. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this subsection.

(11)(a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed 20 percent of tuition for resident students or 20 percent of the sum of tuition and out-of-state fees for nonresident students. ~~The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ Funds collected by Florida College System institutions through the fee may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, remodeling of educational facilities, or the acquisition and renovation or remodeling of improved real property for use as educational facilities. The fee must ~~shall~~ be collected as a component part of the tuition and fees, paid into a separate account, and expended only to acquire improved real property or construct and equip, maintain, improve, or enhance the educational facilities of the Florida College System institution. Projects and acquisitions of improved real property funded through the use of the capital improvement fee must ~~shall~~

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meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each Florida College System institution shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this paragraph.

(12)(a) In addition to tuition, out-of-state, financial aid, capital improvement, student activity and service, and technology fees authorized in this section, each Florida College System institution board of trustees is authorized to establish fee schedules for the following user fees and fines: laboratory fees, which do not apply to a distance learning course; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or microfilming fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines may ~~shall~~ not exceed the cost of the services provided and may ~~shall~~ only be charged to persons receiving the service. A Florida College System institution may not charge any fee except as authorized by law. Parking fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, with an overall term of not more than 7 years, including renewals, extensions, and refundings, and revenue bonds with a term not exceeding 20 years and not exceeding the useful life of the

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asset being financed. Florida College System institutions shall use the services of the Division of Bond Finance of the State Board of Administration to issue any revenue bonds authorized by this subsection. Any such bonds issued by the Division of Bond Finance must ~~shall~~ be in compliance with the provisions of the State Bond Act. Bonds issued pursuant to the State Bond Act may be validated in the manner established in chapter 75. The complaint for such validation must ~~shall~~ be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 must ~~shall~~ be published only in the county where the complaint is filed, and the complaint and order of the circuit court must ~~shall~~ be served only on the state attorney of the circuit in which the action is pending. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a fee established pursuant to this paragraph by more than 3 percent. Beginning with the 2023-2024 academic year, a fee established pursuant to this paragraph may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the Florida College System institution has made every effort, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by a Florida College System institution under this paragraph may not exceed the cost of the service provided.

(15) Each Florida College System institution may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of

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the convenience fee may not exceed the total cost charged by the credit card company to the Florida College System institution. Such service charge or convenience fee must be approved by the Florida College System institution board of trustees. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a service charge established pursuant to this subsection.

(16)

(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a distance learning course user fee established under this subsection by more than 3 percent of the amount assessed the prior year. By each September 1 ~~of each year~~, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended. By November 1 of each year, the Chancellor of the Florida College System shall report the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(17) Each Florida College System institution that accepts

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transient students, pursuant to s. 1006.73, may establish a transient student fee not to exceed $5 per course for processing the transient student admissions application. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a transient student fee established pursuant to this subsection.

(18)(a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed $6 per credit hour. ~~An increase in the transportation access fee may occur only once each fiscal year and must be implemented beginning with the fall term.~~ A referendum must be held by the student government to approve the application of the fee. Beginning July 1, 2022, the Board of Trustees of Santa Fe College may not increase the transportation access fee established pursuant to this paragraph.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the Florida College System institution's website, as applicable. Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.

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3.~~(c)~~ Be posted on the institution's website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each Florida College System institution shall annually submit a fee schedule to the State Board of Education for its approval by a date established by state board rule. A Florida College System institution must submit for approval by the state board by a date established by state board rule an amended fee schedule when a fee is changed pursuant to paragraph (12)(a).

Section 18. Paragraph (d) of subsection (4) and subsections (7) through (17) and (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or in the General Appropriations Act. A ~~No~~ university may not ~~shall~~ be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year unless specifically authorized in law or in the General Appropriations Act. Beginning July 1, 2022, a university may not increase its athletic fee ~~to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such~~

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~~increase must be approved by the athletic fee committee in the process outlined in subsection (12) and may not exceed $2 per credit hour. Notwithstanding ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection which causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university may exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase may not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees may not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee committee pursuant to subsection (10), subsection (11), or subsection (12)~~.

(7) A university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. Beginning July 1, 2022, a university board of trustees may not increase a financial aid fee established pursuant to this subsection. The revenues from

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fees are to remain at each campus and replace existing financial aid fees. Such funds must ~~shall~~ be disbursed to students as quickly as possible. A minimum of 75 percent of funds from the student financial aid fee must ~~shall~~ be used to provide financial aid based on absolute need. The Board of Governors shall develop criteria for making financial aid awards. Each university shall report annually to the Board of Governors and the Department of Education on the revenue collected pursuant to this subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report must ~~shall~~ include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards ~~which are~~ based on financial need must ~~shall~~ be distributed in accordance with a nationally recognized system of need analysis approved by the Board of Governors. An award for academic merit must ~~shall~~ require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(8)~~(a)~~ The Capital Improvement Trust Fund fee is established as $4.76 per credit hour per semester.

~~(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee. Any increase in the fee must be recommended by a Capital Improvement Trust Fund committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university~~

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~~president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors shall adopt regulations and timetables to implement the fee.~~

~~(c)~~ The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The ~~fee for resident students shall be limited to an increase of $2 per credit hour over the prior year. The Capital Improvement Trust Fund~~ fee may be used to fund any project or real property acquisition that meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. Beginning July 1, 2022, a university board of trustees may not increase the fee established pursuant to this subsection ~~The Board of Governors shall approve any proposed fee reductions provided that no such reduction reduces the fee below the level established in paragraph (a)~~.

(9) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees. Beginning July 1, 2022, a university board of trustees may not increase a service, health, or athletic fee established pursuant to this subsection. When duly established, the fees

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must ~~shall~~ be collected as component parts of tuition and fees and must ~~shall~~ be retained by the university and paid into the separate activity and service, health, and athletic funds. Notwithstanding any other ~~provision of~~ law to the contrary, a university may transfer revenues derived from the fees authorized pursuant to this subsection to a university direct-support organization of the university to be used only for the purpose of paying and securing debt on projects approved pursuant to s. 1010.62 and pursuant to a written agreement approved by the Board of Governors. The amount transferred may not exceed the amount authorized for annual debt service pursuant to s. 1010.62.

(10)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase a student activity and service fee established pursuant to this paragraph ~~Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the activity and~~

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~~service fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(b) The student activity and service fee must ~~fees shall~~ be expended for lawful purposes to benefit the student body in general. This includes ~~shall include~~, but is ~~shall~~ not ~~be~~ limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fund shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when submitted by the student government association legislative body. The university president has ~~shall have~~ 15 school days after ~~from~~ the date of presentation of the budget to act on the allocation and expenditure recommendations, which are ~~shall be~~ deemed approved if no action is taken within the 15 school days. If any line item or portion thereof within the budget is vetoed, the student government association legislative body must ~~shall~~ within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity

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and service fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year must ~~shall~~ be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase ~~Any subsequent increase in~~ the health fee established pursuant to this subsection ~~must be recommended by a health committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Beginning July 1, 2022, a

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university board of trustees may not increase an ~~Any subsequent increase in the~~ athletic fee established pursuant to this subsection ~~must be recommended by an athletic fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the athletic fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. Beginning July 1, 2022, a university board of trustees may not increase a technology fee established pursuant to this subsection. The revenue from this fee must ~~shall~~ be used to enhance instructional technology resources for students and faculty.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(a) A nonrefundable application fee in an amount not to exceed $30.

(b) An orientation fee in an amount not to exceed $35.

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(c) A fee for security, access, or identification cards. The annual fee for such a card may not exceed $10 per card. The maximum amount charged for a replacement card may not exceed $15.

(d) Registration fees for audit and zero-hours registration; a service charge, which may not exceed $15, for the payment of tuition and fees in installments; and a late-registration fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to initiate registration during the regular registration period.

(e) A late-payment fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to pay or fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) tuition by the deadline set by each university. Each university may adopt specific procedures or policies for waiving the late-payment fee for minor underpayments.

(f) Fees for transcripts and diploma replacement, not to exceed $10 per item.

(g) A nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed $200. The admissions deposit shall be imposed at the time of an applicant's acceptance to the university and shall be applied toward tuition upon enrollment. If the applicant does not enroll in the university, the admissions deposit must ~~shall~~ be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. The Board of Governors shall adopt a policy that provides for the

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waiver of such admissions deposit on the basis of financial hardship.

(h) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under subsection (11).

(i) Materials and supplies fees to offset the cost of materials or supplies that are consumed in the course of the student's instructional activities, excluding the cost of equipment replacement, repairs, and maintenance.

(j) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student.

(k) A charge representing the reasonable cost of efforts to collect payment of overdue accounts.

(l) A service charge on university loans in lieu of interest and administrative handling charges.

(m) A fee for off-campus course offerings when the location results in specific, identifiable increased costs to the university.

(n) Library fees and fines, including charges for damaged and lost library materials, overdue reserve library books, interlibrary loans, and literature searches.

(o) Fees relating to duplicating, photocopying, binding, and microfilming; copyright services; and standardized testing. These fees may be charged only to those who receive the services.

(p) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.

(q) A returned-check fee as authorized by s. 832.07(1) for

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unpaid checks returned to the university.

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of this chapter, as specifically authorized by law or the General Appropriations Act.

(s) An Educational Research Center for Child Development fee for child care and services offered by the center.

(t) A transient student fee that may not exceed $5 per course for accepting a transient student and processing the transient student admissions application pursuant to s. 1006.73.

Beginning July 1, 2023, a university board of trustees may not increase any fee established pursuant to this subsection by more than 3 percent. Beginning with the 2023-2024 academic year, a fee may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by an institution under this subsection may not exceed the cost of the service provided ~~With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services~~. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

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(15)(a) The Board of Governors may approve~~:~~

~~1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.~~

~~2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).~~

~~3.~~ a proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university's continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses must ~~shall~~ be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must ~~shall~~ be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

(b) A proposal developed pursuant to paragraph (a) must ~~shall~~ be submitted in accordance with guidelines established by the Board of Governors. Approval by the Board of Governors of such proposal must be made in accordance with ~~the provisions of~~ this subsection.

(c) ~~In reviewing a proposal to establish a new fee under subparagraph (a)1., the Board of Governors shall consider:~~

~~1. The purpose to be served or accomplished by the new fee.~~

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~~2. Whether there is a demonstrable student-based need for the new fee that is not currently being met through existing university services, operations, or another fee.~~

~~3. Whether the financial impact on students is warranted in light of other charges assessed to students for tuition and associated fees.~~

~~4. Whether any restrictions, limitations, or conditions should be placed on the use of the fee.~~

~~5. Whether there are outcome measures to indicate if the purpose for which the fee was established is accomplished.~~

~~(d) In reviewing a proposal to increase or exceed the current cap for an existing fee under subparagraph (a)2., the Board of Governors shall consider:~~

~~1. The services or operations currently being funded by the fee.~~

~~2. Whether those services or operations can be performed more efficiently to alleviate the need for any increase.~~

~~3. The additional or enhanced services or operations to be funded by the increase.~~

~~4. Whether any alternative resources are available to meet the need.~~

~~5. Whether the financial impact on students is warranted in light of other charges assessed to students for tuition and associated fees.~~

~~(c)~~ In reviewing a proposal to implement a flexible tuition policy under paragraph (a) ~~subparagraph (a)3.~~, the Board of Governors shall consider:

1. Whether the proposed tuition flexibility policy is aligned with the mission of the university.

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2. Whether the proposed tuition flexibility policy increases the state's fiscal liabilities or obligations and, if so, the proposal must ~~shall~~ be denied.

3. Whether any restrictions, limitations, or conditions should be placed on the policy.

4. How the proposed tuition flexibility policy will be implemented to honor the advance payment contracts of students who are beneficiaries of prepaid tuition contracts under s. 1009.98.

(d) ~~(f)~~ The Board of Governors shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, and the Governor summarizing the proposals received by the board during the preceding year and actions taken by the board in response to such proposals. ~~The Board of Governors shall also include in the annual report the following information for each fee established pursuant to subparagraph (a)1.:~~

~~1. The amount of the fee.~~

~~2. The total revenues generated by the fee.~~

~~3. Detailed expenditures of the revenues generated by the fee.~~

~~(g) The aggregate sum of any fees established pursuant to subparagraph (a)1. that a student is required to pay to register for a course shall not exceed 10 percent of tuition.~~

~~(h) Any fee established pursuant to subparagraph (a)1. shall not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.~~

~~(i) The revenues generated by a fee established pursuant to~~

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~~subparagraph (a)1. may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used for the purpose of paying or securing debt.~~

~~(j) If the Board of Governors approves a university proposal to establish a fee pursuant to subparagraph (a)1., a fee committee shall be established at the university to make recommendations to the university president and the university board of trustees regarding how the revenue from the fee is to be spent and any subsequent changes to the fee. At least one-half of the committee must be students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie.~~

~~(k) An increase to an existing fee or a fee established pursuant to subparagraph (a)1. may occur no more than once each fiscal year and must be implemented beginning with the fall term.~~

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential must ~~shall~~ promote improvements in the quality of undergraduate education and must ~~shall~~ provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition

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differential must ~~shall~~ be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. Except as otherwise provided in this subsection, the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, must ~~shall~~ be expended to provide financial aid to undergraduate students who exhibit financial need, including students who are scholarship recipients under s. 1009.984, to meet the cost of university attendance. This expenditure for need-based financial aid may ~~shall~~ not supplant the amount of need-based aid provided to undergraduate students in the preceding fiscal year from financial aid fee revenues, the direct appropriation for financial assistance provided to state universities in the General Appropriations Act, or from private sources. The total amount of tuition differential waived under subparagraph (b)6. ~~(b)7.~~ may be included in calculating the expenditures for need-based financial aid to undergraduate students required by this subsection. If the entire tuition and fee costs of resident students who have applied for and received Pell Grant funds have

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been met and the university has excess funds remaining from the 30 percent of the revenues from the tuition differential required to be used to assist students who exhibit financial need, the university may expend the excess portion in the same manner as required for the other 70 percent of the tuition differential revenues.

(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, by campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. ~~For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:~~

~~a. An increase in the 4-year graduation rate for full-time,~~

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~~first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System.~~

~~b. An increase in the total annual research expenditures.~~

~~c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.~~

~~4.~~ The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.

4.~~5.~~ Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

5.~~6.~~ The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

6.~~7.~~ The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida Public Student Assistance Grant Program established in s. 1009.50.

7.~~8.~~ Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may take effect with the 2009 fall term.

(c) A university board of trustees may submit a proposal to the Board of Governors to implement a tuition differential for one or more undergraduate courses. At a minimum, the proposal must ~~shall~~:

1. Identify the course or courses for which the tuition differential will be assessed.

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2. Indicate the amount that will be assessed for each tuition differential proposed.

3. Indicate the purpose of the tuition differential.

4. Indicate how the revenues from the tuition differential will be used.

5. Indicate how the university will monitor the success of the tuition differential in achieving the purpose for which the tuition differential is being assessed.

(d) The Board of Governors shall review each proposal and advise the university board of trustees of approval of the proposal, the need for additional information or revision to the proposal, or denial of the proposal. The Board of Governors shall establish a process for any university to revise a proposal or appeal a decision of the board.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of ~~the provisions of~~ this subsection no later than February 1 of each year. The report must ~~shall~~ summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report must ~~shall~~ provide the following information for each university ~~that has been~~ approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.

2. The total revenues generated by the tuition differential.

3. With respect to waivers authorized under subparagraph

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(b)6. ~~(b)7.~~, the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.

4. Detailed expenditures of the revenues generated by the tuition differential.

5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty, student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

(f) No state university shall be required to lower any tuition differential that was approved by the Board of Governors and in effect prior to January 1, 2009, in order to comply with ~~the provisions of~~ this subsection.

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.73, a per-credit-hour distance learning course fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess

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duplicative fees to cover the additional costs. Beginning July 1, 2023, a university board of trustees may not increase the distance learning course fee authorized under this subsection by more than 3 percent of the amount assessed the prior year; however, the total collected by an institution from such fee may not exceed the cost of the service provided by that institution. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost.

1. By September 1 of each year, each board of trustees shall report to the Chancellor of the State University System the total amount of revenue generated for the prior fiscal year by the fee authorized by this subsection and how that revenue was expended.

2. By November 1 of each year, the Chancellor of the State University System shall report the total amount of revenue generated by the distance learning course fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) If an institution assesses the distance learning fee, the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the university's website. Each state university shall publicly notice and notify all enrolled students of any proposal to

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change tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed change, and how the funds from the proposed change will be used.

3.~~(c)~~ Be published ~~posted~~ on the university's website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each university shall annually submit a fee schedule to the Board of Governors for approval by the board by a date established by board regulation. When a fee is changed pursuant to paragraph (17)(b), a university must submit an amended fee schedule for approval by the board by a date established by board regulation.

Section 19. Subsections (1) and (3) of section 1011.81, Florida Statutes, are amended to read:

1011.81 Florida College System Program Fund.—

(1)(a) There is established a Florida College System Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the Florida College System institution districts of the state on the basis of procedures established by law and rules of the State Board of Education. The annual apportionment for each Florida College System institution district shall be distributed monthly in payments as nearly equal as possible.

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(b) The State Board of Education shall collaborate with the Board of Governors to create a template, which must include fiscal definitions and all sources of revenue, for use by each Florida College System institution in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the institution, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.70(1), during the prior year. Each Florida College System institution shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the State Board of Education's website.

(3) None of the funds made available in the Florida College System Program Fund, or funds made available to Florida College System institutions outside the Florida College System Program Fund, may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to, or involving, any of the following:

(a) Travel to a terrorist state. For purposes of this paragraph, the term ~~section,~~ "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

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An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.32 and State Board of Education rule.

Section 20. Subsections (4) and (6) of section 1011.90, Florida Statutes, are amended to read:

1011.90 State university funding.—

(4)(a) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request. Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total

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expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

(b) The Board of Governors shall collaborate with the State Board of Education in creating a template, which must include fiscal definitions and all sources of revenue, for use by each state university in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the state university, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.28(1), during the prior year. Each state university shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the Board of Governors' website.

(6) None of the state or nonstate funds made available to state universities may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to or involving any of the following:

(a) Travel to a terrorist state. For purposes of this section, the term "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

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An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.322 and Board of Governors regulation.

Section 21. Subsection (1) of section 1011.91, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1011.91 Additional appropriation.—

(1) Except as otherwise provided in the General Appropriations Act, all moneys received by universities, from student fees authorized in s. 1009.24, from federal sources, from private sources, and from vending machine collections, are hereby appropriated to the use of the respective universities collecting same, to be expended as the university board of trustees may approve ~~direct~~; however, the funds may ~~shall~~ not be expended except in pursuance of detailed budgets approved by ~~filed with~~ the Board of Governors and may ~~shall~~ not be expended for the construction or reconstruction of buildings except as provided under s. 1013.74.

(4) The Chancellor of the State University System may monitor and periodically review university expenditures in accordance with detailed university budgets approved pursuant to this section.

Section 22. Section 1012.80, Florida Statutes, is amended to read:

1012.80 Participation by employees in disruptive activities at public postsecondary educational institutions; penalties.—

(1)(a) Any person who accepts the privilege extended by the

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laws of this state of employment at any Florida College System institution shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the State Board of Education, and the laws of this state. Such policies must be adopted in accordance with State Board of Education rule and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at Florida College System institutions.

(b) Any person who accepts the privilege extended by the laws of this state of employment at any state university shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the Board of Governors, and the laws of this state. Such policies must be adopted in accordance with Board of Governors regulation and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at state universities.

(2) If, after formal investigation conducted in accordance with s. 1008.32, s. 1008.322, or an applicable rule or regulation, it has been determined that an employee of a public postsecondary educational institution has participated in disruptive activities, the State Board of Education or the Board of Governors, as applicable, may enforce applicable personnel laws, rules, or regulations by applying authorized sanctions. The institution may, among other options, terminate the contract of the employee, and thereafter such person may ~~shall~~ not be employed by any state public school or public postsecondary educational institution.

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(3) For purposes of this section, the meaning of the term "disruptive activities" shall be jointly developed and codified in rule and regulation by the State Board of Education and the Board of Governors, respectively.

Section 23. Present subsection (3) of section 1012.886, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

(3) REPORT.—By August 1 of each year, the State Board of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each Florida College System institution's compliance with this section.

Section 24. Present subsection (3) of section 1012.976, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.976 Remuneration of state university employees; limitations.—

(3) REPORT.—By August 1 of each year, the Board of Governors shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each state university's compliance with this section.

Section 25. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000362

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01482 School Bd Accountability
Date: Tuesday, January 4, 2022 10:12:59 AM
Attachments: Draft 01482 School Bd Accountability.docx

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01482-22

A bill to be entitled

An act relating to education; repealing s. 1001.395, F.S., relating to district school board member salaries; amending s. 1008.32, F.S.; providing legislative findings; providing that any member of a district school board or any district school superintendent who violates certain provisions of law commits malfeasance and misfeasance in office is subject to removal from office by the Governor; defining terms; authorizing a plaintiff to bring a civil action against a defendant to enforce specified rights; providing the burden of proof for plaintiffs; providing the burden of proof for affirmative defenses asserted by defendants; providing for injunctive or declaratory relief and for court costs and reasonable attorney fees up to a specified amount; providing that a final judgment entered by a court of competent jurisdiction against a defendant is enforceable by the State Board of Education; authorizing a court or the state board to impose a fine up to a specified amount per day for continuing noncompliance; authorizing the state board to require a defendant to pay for statutory damages by use of certain funds; providing that a member of the instructional staff in any school district is entitled to recover costs and reasonable attorney fees up to a specified amount under certain circumstances; amending ss. 145.19, 1001.39, 1001.43, 1002.32, and 1011.10, F.S.; conforming provisions and cross-references to changes made by the act; providing

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000364

an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.395, Florida Statutes, is repealed.

Section 2. Present subsection (5) of section 1008.32, Florida Statutes, is redesignated as subsection (8) and amended, and a new subsection (5) and subsections (6) and (7) are added to that section, to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(5)(a) The Legislature finds that a school district's willful, knowing, or repeated violation of or failure to enforce state law may constitute a threat to the health, safety, and welfare of students or the ability of the public to witness and discuss official acts in an open meeting.

(b) Any member of a district school board or any district school superintendent who violates any of the following provisions commits malfeasance and misfeasance in office is subject to removal from office by the Governor:

1. The school safety provisions in chapter 1006, including, but not limited to, the protection of students who are the victims of bullying, harassment, or abuse.

AMERICAN OVERSIGHT

2. The Parents' Bill of Rights established under chapter 1014.

3. Provisions in chapter 286 governing public meetings and public records.

(6)(a) For purposes of this subsection, the term:

1. "Defendant" means a school district, including the district superintendent and district school board members.

2. "Plaintiff" means a parent, as defined in s. 1014.02(2), of a child who attends a school or program operated by a defendant.

(b) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction in this state to enforce his or her rights under chapters 286, 1006, or 1014.

(c) In any action brought by a plaintiff, the plaintiff must prove based on a preponderance of the evidence that the defendant infringed on a right under chapters 286, 1006, or 1014.

(d) In its response to an action brought by a plaintiff, a defendant may assert as an affirmative defense that a challenged action was reasonable and necessary to achieve a compelling state interest, was narrowly tailored, or could not be achieved by less restrictive means. The defendant bears the burden of proving the reasonableness and necessity of the challenged action by a preponderance of the evidence.

(e) A plaintiff who prevails in an action under this subsection is entitled to injunctive or declaratory relief and to recovery of court costs and reasonable attorney fees of up to $100,000, which must be awarded against the defendant.

(f)1. A final judgment entered by a court of competent

AMERICAN OVERSIGHT

jurisdiction against a defendant is enforceable by the State Board of Education under this section.

2. Where a court has granted injunctive relief in favor of the plaintiff, the court or State Board of Education may impose a fine of up to $1,000 for each day that the defendant remains in noncompliance after the injunction is issued.

3. The State Board of Education may require a defendant to pay for statutory damages by use of federal, state or local funds.

(7) If a member of the instructional staff in any school district is disciplined or is the subject of other adverse action by the school district pursuant to s. 1012.33 or s. 1012.335 and it is determined in an appeal that the employee was upholding the fundamental rights under chapter 286, chapter 1006, or chapter 1014, that employee is entitled to recover the costs of the action and reasonable attorney fees of up to $100,000 from the school district.

(8)~~(5)~~ Except as otherwise expressly provided, ~~nothing in~~ this section may not ~~shall~~ be construed to create a private cause of action or to create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

Section 3. Subsection (2) of section 145.19, Florida Statutes, is amended to read:

145.19 Annual percentage increases based on increase for state career service employees; limitation.—

(2) Each fiscal year, the salaries of all officials listed in this chapter~~, s. 1001.395,~~ and s. 1001.47 must ~~shall~~ be adjusted. The adjusted salary rate is ~~shall be~~ the product, rounded to the nearest dollar, of the salary rate granted by the

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000367

appropriate section of this chapter~~, s. 1001.395,~~ or s. 1001.47 multiplied first by the initial factor, then by the cumulative annual factor, and finally by the annual factor. The Department of Management Services shall certify the annual factor and the cumulative annual factors. Any special qualification salary received under this chapter, s. 1001.47, or the annual performance salary incentive available to elected superintendents under s. 1001.47 must ~~shall~~ be added to such adjusted salary rate. The special qualification salary is ~~shall be~~ $2,000, but may ~~shall~~ not exceed $2,000.

Section 4. Subsection (1) of section 1001.39, Florida Statutes, is amended to read:

1001.39 District school board members; travel expenses.—

(1) ~~In addition to the salary provided in s. 1001.395,~~ Each member of a district school board is ~~shall be~~ allowed, from the district school fund, reimbursement of travel expenses as authorized in s. 112.061, provided that any travel outside the district that exceeds $500 requires prior approval by the district school board to confirm that such travel is for official business of the school district and complies with rules of the State Board of Education. Any request for travel outside the state must include an itemized list detailing all anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 5. Subsection (10) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school

AMERICAN OVERSIGHT

board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(10) DISTRICT SCHOOL BOARD GOVERNANCE AND OPERATIONS.—The district school board may adopt policies and procedures necessary for the daily business operation of the district school board, including, but not limited to, the provision of legal services for the district school board; conducting a district legislative program; district school board member participation at conferences, conventions, and workshops, including ~~member compensation and~~ reimbursement for expenses; district school board policy development, adoption, and repeal; district school board meeting procedures, including participation <u>through</u> ~~via~~ telecommunications networks, use of technology at meetings, and presentations by nondistrict personnel; citizen communications with the district school board and with individual district school board members; collaboration with local government and other entities as required by law; and organization of the district school board, including special committees and advisory committees. Members of special committees and advisory committees may attend meetings in person or through the use of telecommunications networks such as telephonic and video conferencing.

Section 6. Paragraph (a) of subsection (10) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(1), the following

AMERICAN OVERSIGHT

exceptions are ~~shall be~~ permitted for lab schools:

(a) The methods and requirements of the following statutes must ~~shall~~ be held in abeyance: ss. 316.75; 1001.30; 1001.31; 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362; 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39~~;~~ ~~1001.395~~; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46; 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48; 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72; 1011.73; and 1011.74.

Section 7. Subsection (3) of section 1011.10, Florida Statutes, is amended to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1) exist within a school district, the salary of the ~~each district school board member and~~ district superintendent, calculated pursuant to s. 1001.47, must ~~ss. 1001.395 and 1001.47, shall~~ be withheld until the conditions are corrected. This subsection does not apply to a ~~district school board member or~~ district superintendent elected or appointed within 1 year after the identification of the conditions in s. 218.503(1) if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions.

Section 8. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01482 School Board Accountability
Date: Tuesday, January 4, 2022 9:57:41 AM
Attachments: 01482 School Bd Accountability.docx

Sending these separately in case you need to forward elsewhere

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01482-22

A bill to be entitled

An act relating to education; repealing s. 1001.395, F.S., relating to district school board member salaries; amending s. 1008.32, F.S.; providing legislative findings; providing that any member of a district school board or any district school superintendent who violates certain provisions of law commits malfeasance and misfeasance in office is subject to removal from office by the Governor; defining terms; authorizing a plaintiff to bring a civil action against a defendant to enforce specified rights; providing the burden of proof for plaintiffs; providing the burden of proof for affirmative defenses asserted by defendants; providing for injunctive or declaratory relief and for court costs and reasonable attorney fees up to a specified amount; providing that a final judgment entered by a court of competent jurisdiction against a defendant is enforceable by the State Board of Education; authorizing a court or the state board to impose a fine up to a specified amount per day for continuing noncompliance; authorizing the state board to require a defendant to pay for statutory damages by use of certain funds; providing that a member of the instructional staff in any school district is entitled to recover costs and reasonable attorney fees up to a specified amount under certain circumstances; amending ss. 145.19, 1001.39, 1001.43, 1002.32, and 1011.10, F.S.; conforming provisions and cross-references to changes made by the act; providing

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000372

an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.395, Florida Statutes, is repealed.

Section 2. Present subsection (5) of section 1008.32, Florida Statutes, is redesignated as subsection (8) and amended, and a new subsection (5) and subsections (6) and (7) are added to that section, to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(5)(a) The Legislature finds that a school district's willful, knowing, or repeated violation of or failure to enforce state law may constitute a threat to the health, safety, and welfare of students or the ability of the public to witness and discuss official acts in an open meeting.

(b) Any member of a district school board or any district school superintendent who violates any of the following provisions commits malfeasance and misfeasance in office is subject to removal from office by the Governor:

1. The school safety provisions in chapter 1006, including, but not limited to, the protection of students who are the victims of bullying, harassment, or abuse.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000373

2. The Parents' Bill of Rights established under chapter 1014.

3. Provisions in chapter 286 governing public meetings and public records.

(6)(a) For purposes of this subsection, the term:

1. "Defendant" means a school district, including the district superintendent and district school board members.

2. "Plaintiff" means a parent, as defined in s. 1014.02(2), of a child who attends a school or program operated by a defendant.

(b) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction in this state to enforce his or her rights under chapters 286, 1006, or 1014.

(c) In any action brought by a plaintiff, the plaintiff must prove based on a preponderance of the evidence that the defendant infringed on a right under chapters 286, 1006, or 1014.

(d) In its response to an action brought by a plaintiff, a defendant may assert as an affirmative defense that a challenged action was reasonable and necessary to achieve a compelling state interest, was narrowly tailored, or could not be achieved by less restrictive means. The defendant bears the burden of proving the reasonableness and necessity of the challenged action by a preponderance of the evidence.

(e) A plaintiff who prevails in an action under this subsection is entitled to injunctive or declaratory relief and to recovery of court costs and reasonable attorney fees of up to $100,000, which must be awarded against the defendant.

(f)1. A final judgment entered by a court of competent

AMERICAN OVERSIGHT

jurisdiction against a defendant is enforceable by the State Board of Education under this section.

2. Where a court has granted injunctive relief in favor of the plaintiff, the court or State Board of Education may impose a fine of up to $1,000 for each day that the defendant remains in noncompliance after the injunction is issued.

3. The State Board of Education may require a defendant to pay for statutory damages by use of federal, state or local funds.

(7) If a member of the instructional staff in any school district is disciplined or is the subject of other adverse action by the school district pursuant to s. 1012.33 or s. 1012.335 and it is determined in an appeal that the employee was upholding the fundamental rights under chapter 286, chapter 1006, or chapter 1014, that employee is entitled to recover the costs of the action and reasonable attorney fees of up to $100,000 from the school district.

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145.19 Annual percentage increases based on increase for state career service employees; limitation.—

(2) Each fiscal year, the salaries of all officials listed in this chapter~~, s. 1001.395,~~ and s. 1001.47 must ~~shall~~ be adjusted. The adjusted salary rate is ~~shall be~~ the product, rounded to the nearest dollar, of the salary rate granted by the

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000375

appropriate section of this chapter~~, s. 1001.395,~~ or s. 1001.47 multiplied first by the initial factor, then by the cumulative annual factor, and finally by the annual factor. The Department of Management Services shall certify the annual factor and the cumulative annual factors. Any special qualification salary received under this chapter, s. 1001.47, or the annual performance salary incentive available to elected superintendents under s. 1001.47 must ~~shall~~ be added to such adjusted salary rate. The special qualification salary is ~~shall be~~ $2,000, but may ~~shall~~ not exceed $2,000.

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AMERICAN OVERSIGHT

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Section 6. Paragraph (a) of subsection (10) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(10) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(1), the following

AMERICAN OVERSIGHT

exceptions are ~~shall be~~ permitted for lab schools:

(a) The methods and requirements of the following statutes must ~~shall~~ be held in abeyance: ss. 316.75; 1001.30; 1001.31; 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362; 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39~~;~~ ~~1001.395~~; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46; 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48; 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23; 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44; 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51; 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5); 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72; 1011.73; and 1011.74.

Section 7. Subsection (3) of section 1011.10, Florida Statutes, is amended to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1) exist within a school district, the salary of the ~~each district school board member and~~ district superintendent, calculated pursuant to s. 1001.47, must ~~ss. 1001.395 and 1001.47, shall~~ be withheld until the conditions are corrected. This subsection does not apply to a ~~district school board member or~~ district superintendent elected or appointed within 1 year after the identification of the conditions in s. 218.503(1) if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions.

Section 8. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01484 FHSAA
Date: Tuesday, January 4, 2022 10:09:11 AM
Attachments: Draft 01484 FHSAA.docx

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-000380

from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with this section. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any

AMERICAN OVERSIGHT

high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000382

its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity sponsored, recognized, or sanctioned by the FHSAA and the member

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school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members ~~persons~~, as follows:

AMERICAN OVERSIGHT

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are as follows:

AMERICAN OVERSIGHT

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

3. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

4.~~3.~~ To vest with the ~~employ an~~ FHSAA executive director~~, who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

5.~~4.~~ To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

6.~~5.~~ To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

7.~~6.~~ To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

8.~~7.~~ To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the FHSAA board of directors, which is encouraged to consider and

AMERICAN OVERSIGHT

interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

~~(a) The legislative authority of the FHSAA is vested in its representative assembly~~.

~~(b) The representative assembly shall be composed of the following:~~

~~1. An equal number of member school representatives from each of the four administrative regions.~~

~~2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.~~

~~3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.~~

~~4. The commissioner or his or her designee from the department executive staff.~~

~~(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.~~

~~(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.~~

~~(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.~~

~~(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves~~

AMERICAN OVERSIGHT

~~for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.~~

~~(g) A quorum of the representative assembly consists of one more than half of its members.~~

~~(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.~~

(6) PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8) AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

(9) REPEAL.—In accordance with s. 20.058(5), this section

AMERICAN OVERSIGHT

is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000389

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Draft 01561 SRBA
Date: Tuesday, January 4, 2022 10:04:29 AM
Attachments: Draft 01561 Santa Rosa Bridge Auth.docx

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01561-22

A bill to be entitled

An act relating to the Santa Rosa Bay Bridge Authority; transferring the governance and control of the authority to the Florida Department of Transportation; transferring assets, facilities, property, rights, and powers of the authority to the department; providing for the control of the operations and maintenance of the bridge system by the department; providing for the department to assume all liability for the bonds of the authority; authorizing the department to review the authority's contracts, obligations, and liabilities and assume certain legal liability; providing construction relating to bonds of the authority; requiring the department to collect toll revenues and apply them to the payment of debt service; providing construction relating to the payment of bridge system costs; specifying the department's powers as to outstanding authority bonds; providing construction relating to the acquisition, redemption, defeasance, or other refinancing of authority bonds; providing requirements if the bridge system is transferred by the department and becomes part of the turnpike system; authorizing the department to purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues and to issue turnpike system revenue bonds for such purpose; providing construction; repealing part IV of ch. 348, F.S., relating to the Santa Rosa Bay Bridge Authority; providing an effective date.

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000391

Be It Enacted by the Legislature of the State of Florida:

Section 1. Santa Rosa Bay Bridge Authority; transfer to the Florida Department of Transportation.—The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. Pursuant to this section, all powers of the authority shall succeed to the department and the operations and maintenance of the bridge system shall be under the control of the department. The department also assumes all liability for bonds of the authority pursuant to subsection (2). The department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided in the lease-purchase agreement and the resolutions adopted in connection with the issuance of Santa Rosa Bay Bridge Authority bonds for the protection of the bondholders. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other

AMERICAN OVERSIGHT

facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department and does not pledge department revenues for payment of the bonds. Revenues generated by the bridge system and other facilities of the authority which were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than from revenues of the bridge system.

(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may use any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance, or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement are terminated. Upon the acquisition, redemption, defeasance, or

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FL_GOV_22-0226_20-0378A-000393

other refinancing of all of the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system are deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, ss. 338.22-338.241, Florida Statutes, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by s. 7 of chapter 2017-42, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Garcon Point Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223, Florida Statutes. In addition to subsection (3), the department may purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to s. 11(f), Article VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance, or

AMERICAN OVERSIGHT

refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section are in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275, Florida Statutes. This section may not be construed as repealing any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law; but shall supersede such other law or laws as are inconsistent with this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and 348.9781, Florida Statutes, is repealed.

Section 3. This act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: FHSAA revised
Date: Thursday, January 6, 2022 8:53:27 AM
Attachments: 5-01484A-22 FHSAA revised.docx

There is one draft still being revised – draft 01289A Defamation

Let me know if I have missed one –
Tonya

Tonya J Shays
Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01484A-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing an effective date.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-000397

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (5) through (8) of section 1006.20, Florida Statutes, are redesignated as subsections (6) through (9), respectively, a new subsection (5) and subsection (10) are added to that section, and subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), paragraph (b) of present subsection (6), and present subsection (8) of that section are amended, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in this ~~the~~ state, including charter schools,

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virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer

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must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the state board or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach

AMERICAN OVERSIGHT

is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members ~~persons~~, as follows:

1. Four public member school representatives appointed by

AMERICAN OVERSIGHT

the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are as follows:

1. To act as the incorporated FHSAA's board of directors

AMERICAN OVERSIGHT

and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

2. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

3. To vest with the ~~employ an~~ FHSAA executive director~~, who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the state board.

6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(7)~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

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FL GOV 22-0226, 20-0378A-000403

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: FW:
Date: Wednesday, December 15, 2021 10:11:17 AM
Attachments: 5-010604A-22 ID Cards draft.docx

Revised A-version of ID Cards draft

From: Shays, Tonya
Sent: Wednesday, November 10, 2021 2:31 PM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE:

Draft is attached and bill drafting makes the following recommendation so let me know if you want it redrafted as recommended (to add some language):
John Kim: (11/10/2021 9:54 AM):
Tonya, I attached a copy of the draft with comments in Leagis. I believe s. 322.051(9) also needs to be stricken because it provides ID fee exemptions that are no longer applicable after deleting all of the fees. However, per your instruction I did not include that in the released draft. If you would like to strike that provision, please submit a redraft request. Thanks.

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Thursday, November 4, 2021 8:23 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject:

Can you put this in bill drafting please?
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

5-01060A-22

A bill to be entitled

An act relating to identification card and driver license fees; amending s. 322.051, F.S.; deleting fees for original, renewal, duplicate, or replacement identification cards issued by the Department of Highway Safety and Motor Vehicles; deleting fees for certain photographs or images; deleting fees for designations exhibited on such identification cards; deleting a provision to conform to changes made by the act; amending s. 322.135, F.S.; exempting identification card services from tax collector service fees; amending s. 322.21, F.S.; specifying the distribution of fees for original Class E driver licenses issued by a tax collector; conforming provisions to changes made by the act; amending s. 743.067, F.S.; conforming a provision to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1), (3), (8), and (9) of section 322.051, Florida Statutes, are amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application ~~and payment of an application fee~~.

(a) The application must include the following information

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FL-GOV-22-0226_20-0378A-000406

regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, which may include a military identification card, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

a. A driver license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

b. A certified copy of a United States birth certificate;

c. A valid, unexpired United States passport;

d. A naturalization certificate issued by the United States Department of Homeland Security;

e. A valid, unexpired alien registration receipt card (green card);

f. A Consular Report of Birth Abroad provided by the United States Department of State;

g. An unexpired employment authorization card issued by the United States Department of Homeland Security; or

h. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original

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identification card. In order to prove nonimmigrant classification, an applicant must provide at least one of the following documents. In addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) A notice of the approval of an application for adjustment of status issued by the United States Citizenship and Immigration Services.

(IV) An official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Citizenship and Immigration Services.

(V) A notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Citizenship and Immigration Services.

(VI) An order of an immigration judge or immigration officer granting relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-000408

the United States Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

An identification card issued based on documents required in sub-subparagraph g. or sub-subparagraph h. is valid for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(b) An application for an identification card must be signed and verified by the applicant in a format designated by the department before a person authorized to administer oaths ~~and payment of the applicable fee pursuant to s. 322.21~~.

(c) Each such applicant may include fingerprints and any other unique biometric means of identity.

(3) If an identification card issued under this section is lost, destroyed, or mutilated or a new name is acquired, the person to whom it was issued may obtain a duplicate upon furnishing satisfactory proof of such fact to the department ~~and upon payment of a fee as provided in s. 322.21~~. ~~The fee must include payment for the color photograph or digital image of the applicant.~~ Any person who loses an identification card and who, after obtaining a duplicate, finds the original card shall immediately surrender the original card to the department. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

(8)(a) The department shall~~, upon receipt of the required fee,~~ issue to each qualified applicant for an identification

AMERICAN OVERSIGHT

card a color photographic or digital image identification card bearing a fullface photograph or digital image of the identification cardholder. Notwithstanding chapter 761 or s. 761.05, the requirement for a fullface photograph or digital image of the identification cardholder may not be waived. A space shall be provided upon which the identification cardholder shall affix his or her usual signature, as required in s. 322.14, in the presence of an authorized agent of the department so as to ensure that such signature becomes a part of the identification card.

(b)1. The word "Veteran" must be exhibited on the identification card of a veteran upon the presentation of a copy of the person's:

a. DD Form 214, issued by the United States Department of Defense;

b. Veteran health identification card, issued by the United States Department of Veterans Affairs;

c. Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. No. 114-31; or

d. Other acceptable form specified by the Department of Veterans' Affairs.

2. Until a veteran's identification card is next renewed, the veteran may have the word "Veteran" added to his or her identification card upon surrender of his or her current identification card and presentation of any of the forms of identification specified in subparagraph 1. ~~If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card must be~~

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~~issued with the word "Veteran" without payment of the fee required in s. 322.21(1)(f)3.~~

(c) The international symbol for the deaf and hard of hearing shall be exhibited on the identification card of a person who is deaf or hard of hearing upon ~~the payment of an additional $1 fee for the identification card and the~~ presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person's identification card is next renewed, the person may have the symbol added to his or her identification card upon surrender of his or her current identification card~~, payment of a $2 fee to be deposited into the Highway Safety Operating Trust Fund,~~ and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. ~~If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card may be issued with the symbol without payment of the fee required in s. 322.21(1)(f)3.~~ For purposes of this paragraph, the international symbol for the deaf and hard of hearing is substantially as follows:

(d) The department shall include symbols representing the following on an identification card for ~~upon the payment of an additional $1 fee by~~ an applicant who meets the requirements of subsection (1) and presents his or her:

1. Lifetime freshwater fishing license;

2. Lifetime saltwater fishing license;

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3. Lifetime hunting license;

4. Lifetime sportsman's license; or

5. Lifetime boater safety identification card.

A person may replace his or her identification card before its expiration date with a card that includes his or her status as a lifetime licensee or boater safety cardholder upon surrender of his or her current identification card~~, payment of a $2 fee to be deposited into the Highway Safety Operating Trust Fund,~~ and presentation of the person's lifetime license or card. ~~If the sole purpose of the replacement identification card is the inclusion of the applicant's status as a lifetime licensee or cardholder, the replacement identification card must be issued without payment of the fee required in s. 322.21(1)(f)3.~~

(e)1. Upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental disability, the department shall issue an identification card exhibiting a capital "D" for the person, child, or ward if the person or the parent or guardian of the child or ward submits~~:~~

~~a. Payment of an additional $1 fee; and~~

~~b.~~ proof acceptable to the department of a diagnosis by a licensed physician of a developmental disability as defined in s. 393.063.

2. ~~The department shall deposit the additional $1 fee into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund under s. 20.1971(2).~~

~~3. A replacement identification card that includes the designation may be issued without payment of the fee required~~

AMERICAN OVERSIGHT

~~under s. 322.21(1)(f).~~

~~4.~~ The department shall develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards under this section.

~~(9) Notwithstanding any other provision of this section or s. 322.21 to the contrary, the department shall issue or renew a card at no charge to a person who presents evidence satisfactory to the department that he or she is homeless as defined in s. 414.0252(7), to a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice and receiving services pursuant to s. 985.461, to an inmate receiving a card issued pursuant to s. 944.605(7), or, if necessary, to an inmate receiving a replacement card if the department determines that he or she has a valid state identification card. If the replacement state identification card is scheduled to expire within 6 months, the department may also issue a temporary permit valid for at least 6 months after the release date. The department's mobile issuing units shall process the identification cards for juvenile offenders and inmates at no charge, as provided by s. 944.605 (7)(a) and (b).~~

Section 2. Paragraph (c) of subsection (1) of section 322.135, Florida Statutes, is amended to read:

322.135 Driver license agents.—

(1) The department shall, upon application, authorize by interagency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified

AMERICAN OVERSIGHT

driver license services.

(c) A service fee of $6.25 must be charged, in addition to the fees set forth in this chapter, for providing driver license and driver history record ~~all~~ services pursuant to this chapter. The service fee may not be charged for providing identification card services or:

1. More than once per customer during a single visit to a tax collector's office.

2. For a reexamination requested by the Medical Advisory Board or required pursuant to s. 322.221.

3. For a voter registration transaction.

4. In violation of any federal or state law.

5. To a veteran receiving any service pursuant to this chapter, upon presentation of a copy of the veteran's:

a. DD Form 214, issued by the United States Department of Defense;

b. Veteran health identification card, issued by the United States Department of Veterans Affairs;

c. Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. No. 114-31; or

d. Other acceptable form specified by the Department of Veterans' Affairs.

Section 3. Paragraphs (b) and (f) of subsection (1) of section 322.21, Florida Statutes, are amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(b) An original Class E driver license is $48, which

AMERICAN OVERSIGHT

includes the fee for driver education provided by s. 1003.48. However, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee is the same as for a Class E license. For each original Class E driver license issued by the tax collector, the tax collector shall retain $4 and the remaining revenues shall be deposited into the General Revenue Fund.

~~(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is $25, except that an applicant who presents evidence satisfactory to the department that he or she is homeless as defined in s. 414.0252(7); his or her annual income is at or below 100 percent of the federal poverty level; or he or she is a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice, is receiving services pursuant to s. 985.461, and whose identification card is issued by the department's mobile issuing units is exempt from such fee. Funds collected from fees for original, renewal, or replacement identification cards shall be distributed as follows:~~

~~1. For an original identification card issued pursuant to s. 322.051, the fee shall be deposited into the General Revenue Fund.~~

~~2. For a renewal identification card issued pursuant to s. 322.051, $6 shall be deposited into the Highway Safety Operating Trust Fund, and $19 shall be deposited into the General Revenue Fund.~~

~~3. For a replacement identification card issued pursuant to s. 322.051, $9 shall be deposited into the Highway Safety~~

AMERICAN OVERSIGHT

~~Operating Trust Fund, and $16 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the driver license issuance services, if the replacement identification card is issued by the tax collector, the tax collector shall retain the $9 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.~~

Section 4. Paragraph (b) of subsection (2) of section 743.067, Florida Statutes, is amended to read:

743.067 Certified unaccompanied homeless youths.—

(2)

(b) A certified unaccompanied homeless youth may use the completed form to apply at no charge for an identification card issued by the Department of Highway Safety and Motor Vehicles ~~pursuant to s. 322.051(9)~~.

Section 5. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: FW: 2022 Bill Drafting Deadlines Reminder
Date: Wednesday, December 1, 2021 1:07:46 PM

House deadline is today FYI

From: Secretary of the Senate <SecretaryoftheSenate@flsenate.gov>
Sent: Wednesday, December 1, 2021 10:45 AM
To: Senators – All <Senators-All@leg.state.fl.us>
Cc: Senate - All <Senate-All@flsenate.gov>
Subject: 2022 Bill Drafting Deadlines Reminder

MEMORANDUM

TO: All Senators

FROM: Debbie Brown, Secretary of the Senate

DATE: December 1, 2021

SUBJECT: 2022 Bill Drafting Deadlines Reminder

Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.

- **Friday, December 3, 2021** – deadline for submitting requests for drafts of general bills and joint resolutions, including requests for companion bills

- **Friday, January 7, 2022** – deadline for approving final drafts of general bills and joint resolutions, including companion bills

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date: Friday, December 3, 2021 9:45:17 AM

Please review below and let me know how you'd like Bill Drafting to proceed. I can certainly authorize them to talk directly to you folks if you'd like to get us out of the loop.
Tonya

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Friday, December 3, 2021 9:37 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Tonya,
I was just checking in about which version I should draft for the fee bill. Since the only difference among them is the amount and entity responsible for paying the fee, this is a policy choice on which I will need additional direction.

Also, I wanted to mention ahead of time that the general administrative and rulemaking authority included in the attached language for the fee bill will have to be put into the linked substantive bill. The constitutional provision regarding fees requires that the bill only include the fee as the subject matter. But, this will be very straightforward for me to transfer to the other draft.

Thanks for your help and I hope you have a great Friday!

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date: Wednesday, December 15, 2021 9:18:42 AM
Importance: High

Good Morning!
Please see the email below – the attorney drafting this bill said she has two versions so wanted to clarify which to draft – she is waiting for further instruction before she proceeds. If you have a name in your office that can speak to her directly to clarify the instructions I will share that with her and they can speak directly.
Thanks,
Tonya

From: Shays, Tonya
Sent: Friday, December 3, 2021 9:45 AM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Please review below and let me know how you'd like Bill Drafting to proceed. I can certainly authorize them to talk directly to you folks if you'd like to get us out of the loop.
Tonya

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Friday, December 3, 2021 9:37 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Tonya,
I was just checking in about which version I should draft for the fee bill. Since the only difference among them is the amount and entity responsible for paying the fee, this is a policy choice on which I will need additional direction.

Also, I wanted to mention ahead of time that the general administrative and rulemaking authority included in the attached language for the fee bill will have to be put into the linked substantive bill. The constitutional provision regarding fees requires that the bill only include the fee as the subject matter. But, this will be very straightforward for me to transfer to the other draft.

Thanks for your help and I hope you have a great Friday!

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.

AMERICAN OVERSIGHT

Tallahassee, FL 32399
(850) 487-5312

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	FW: Public Records Bill linke to Draft 01262 (income tax collection)
Date:	Monday, December 20, 2021 4:12:22 PM
Attachments:	5-01806-22 Public Rec Bill linked to 01262 (Income Tax Collection).docx 5-01387-22 Fee Bill for Draft Collect of Income Tax Draft #5-01262.docx

Sorry – they are scattered in the draft log… this is the accompanying fee bill for this issue as well – so you have a public records and a fee bill accompanying draft 01262

From: Shays, Tonya
Sent: Monday, December 20, 2021 4:06 PM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Cory.Dowd@eog.myflorida.com
Subject: Public Records Bill linke to Draft 01262 (income tax collection)

Attached is a public records draft – needs to be filed if you file draft #01262

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01806-22

A bill to be entitled

An act relating to public records; amending s. 221.09, F.S.; providing a public records exemption for information developed or received by the Department of Financial Services pursuant to an investigation of violations of requirements related to out-of-state personal income tax collection; providing construction; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 221.09, Florida Statutes, as created by SB ___ or other similar legislation, is amended to read:

221.09 Powers and duties of the department.—

(3)(a) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the office may examine the books, accounts, records, and other documents or matters of any person subject to this part. The office may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the office has reason to believe a person has violated or will violate this part or related rules.

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000422

(b)1. All papers, documents, reports, or any other records developed or received by the department pursuant to an investigation under this subsection are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such investigation is completed or ceases to be active. For the purpose of this paragraph, an investigation is considered active while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or another administrative or law enforcement agency.

2. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the papers, documents, reports, or any other records developed or received by the Department of Financial Services pursuant to investigations of violations of requirements related to out-of-state personal income tax collection be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The premature release of such investigatory information could frustrate or thwart such investigations and impair the ability of the department to effectively and efficiently administer s. 221.09, Florida Statutes. In addition, release of such information before completion of an active

AMERICAN OVERSIGHT

investigation could jeopardize the ongoing investigation. The Legislature finds that the harm that may result from the release of information received by the department pursuant to an investigation under s. 221.09, Florida Statutes, could impair the effective and efficient administration of such investigations and thus outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-000424

5-01387-22

A bill to be entitled

An act relating to fees; amending s. 221.08, F.S.; requiring applicants for out-of-state personal income tax collection licensure to remit a specified fee; requiring licensees, as a condition of renewal, to remit a specified fee to the Department of Financial Services; requiring licensees, upon licensure, to remit specified fees; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 221.08, Florida Statutes, as created by SB ___ or other similar legislation, is amended, and paragraph (d) is added to subsection (2) and paragraph (c) is added to subsection (3) of that section, to read:

221.08 Licensure of out-of-state personal income tax collectors; procedure.—

(2) To apply for licensure, an applicant must:

(d) Remit an application fee of $25,000.

(3) As a condition of renewal, a licensee must:

(c) Remit a renewal fee of $50,000.

(5)(a) The department shall issue an out-of-state personal income tax collectors license to each person who is not otherwise ineligible and who meets the requirements of this chapter. The department may not issue or renew a license if the applicant has committed any violation of this chapter; has had an out-of-state income tax collector license suspended, revoked,

AMERICAN OVERSIGHT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

FL_GOV_22-0226_20-0378A-000425

or terminated; is the subject of a pending felony criminal prosecution or a prosecution in any jurisdiction of an administrative enforcement action that involves fraud, dishonesty, breach of trust, money laundering, or any other act of moral turpitude; or is unfit as to character, background, or lacking in required qualifications.

(b) Upon licensure, a licensee must remit:

1. A fee of $50,000.

2. For each physical office location registered by a licensee in this state, a fee of $75,000.

Section 2. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000426

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	FW: Public Records Bill linke to Draft 01262 (income tax collection)
Date:	Monday, December 20, 2021 4:12:22 PM
Attachments:	5-01806-22 Public Rec Bill linked to 01262 (Income Tax Collection).docx 5-01387-22 Fee Bill for Draft Collect of Income Tax Draft #5-01262.docx

Sorry – they are scattered in the draft log… this is the accompanying fee bill for this issue as well – so you have a public records and a fee bill accompanying draft 01262

From: Shays, Tonya
Sent: Monday, December 20, 2021 4:06 PM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Cory.Dowd@eog.myflorida.com
Subject: Public Records Bill linke to Draft 01262 (income tax collection)

Attached is a public records draft – needs to be filed if you file draft #01262

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01806-22

A bill to be entitled

An act relating to public records; amending s. 221.09, F.S.; providing a public records exemption for information developed or received by the Department of Financial Services pursuant to an investigation of violations of requirements related to out-of-state personal income tax collection; providing construction; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 221.09, Florida Statutes, as created by SB ___ or other similar legislation, is amended to read:

221.09 Powers and duties of the department.—

(3)(a) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the office may examine the books, accounts, records, and other documents or matters of any person subject to this part. The office may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the office has reason to believe a person has violated or will violate this part or related rules.

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000428

(b)1. All papers, documents, reports, or any other records developed or received by the department pursuant to an investigation under this subsection are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such investigation is completed or ceases to be active. For the purpose of this paragraph, an investigation is considered active while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or another administrative or law enforcement agency.

2. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the papers, documents, reports, or any other records developed or received by the Department of Financial Services pursuant to investigations of violations of requirements related to out-of-state personal income tax collection be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The premature release of such investigatory information could frustrate or thwart such investigations and impair the ability of the department to effectively and efficiently administer s. 221.09, Florida Statutes. In addition, release of such information before completion of an active

AMERICAN OVERSIGHT

investigation could jeopardize the ongoing investigation. The Legislature finds that the harm that may result from the release of information received by the department pursuant to an investigation under s. 221.09, Florida Statutes, could impair the effective and efficient administration of such investigations and thus outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

5-01387-22

A bill to be entitled

An act relating to fees; amending s. 221.08, F.S.; requiring applicants for out-of-state personal income tax collection licensure to remit a specified fee; requiring licensees, as a condition of renewal, to remit a specified fee to the Department of Financial Services; requiring licensees, upon licensure, to remit specified fees; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 221.08, Florida Statutes, as created by SB ___ or other similar legislation, is amended, and paragraph (d) is added to subsection (2) and paragraph (c) is added to subsection (3) of that section, to read:

221.08 Licensure of out-of-state personal income tax collectors; procedure.—

(2) To apply for licensure, an applicant must:

(d) Remit an application fee of $25,000.

(3) As a condition of renewal, a licensee must:

(c) Remit a renewal fee of $50,000.

(5)(a) The department shall issue an out-of-state personal income tax collectors license to each person who is not otherwise ineligible and who meets the requirements of this chapter. The department may not issue or renew a license if the applicant has committed any violation of this chapter; has had an out-of-state income tax collector license suspended, revoked,

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000431

or terminated; is the subject of a pending felony criminal prosecution or a prosecution in any jurisdiction of an administrative enforcement action that involves fraud, dishonesty, breach of trust, money laundering, or any other act of moral turpitude; or is unfit as to character, background, or lacking in required qualifications.

(b) Upon licensure, a licensee must remit:

1. A fee of $50,000.

2. For each physical office location registered by a licensee in this state, a fee of $75,000.

Section 2. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000432

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Heffley, Katelyn
Subject: FW: final log
Date: Monday, December 6, 2021 9:19:34 AM
Attachments: updated draft list SK.pdf

On this list – you'll note that drafts 01423 and 01430 are both for the DOAH attorney fees. This language was put into drafting twice so I closed draft number 01430. The draft number for DOAH fees is 01423 as I indicated when I emailed you back the draft number upon receiving the request.

From: Shays, Tonya
Sent: Thursday, December 2, 2021 8:58 AM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Subject: final log

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

Draft Number	Subject	Status	Drafter	Requester	FOR
5-01572-22	Gaming	Drafting		Bradley	sk
5-01561-22	Santa Rosa	Drafting		Bradley	SK
5-01566-22	Riot Definition	Drafting		Bradley	SK
5-01564-22	Campaign Finance	Drafting		Bradley	sk
5-01538-22	Protection of Constitutional Rights	Drafting		Bradley	SK
5-01533-22	Approval of Const Amendments	Drafting		Bradley	SK
5-01517-22	Educ Instruction / CRT	Drafting		Bradley	SK
5-01484-22	FHSAA	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01482-22	School Board Accountability	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01430-22	DOAH Attorneys Fees	Drafting	Shumate, Lisa	Bradley	SK
5-01423-22	Division of Administrative Hearing Attorney Fees	Drafting	Girado, Gabriel	Bradley	SK
5-01420-22	Cabinet Reform - Executive Reorganization	Drafting	Girado, Gabriel	Bradley	SK
5-01416-22	Cabinet Reform DHSMV	Drafting	Girado, Gabriel	Bradley	SK
5-01409-22	Cabinet Reform Vote 10-5-21 FDLE, DEP, VA	Drafting	Girado, Gabriel	Bradley	SK
5-01387-22	Fee Bill for Collect of Income Tax Draft #5-01262	Drafting	Shuler, Sarah	Bradley	SK
5-01386-22	Immigration	Drafting	Ramirez, Johnny	Bradley	SK
5-01385-22	Property Tax Abatement Conforming Bill	Drafting	Shuler, Sarah	Bradley	SK
5-01382-22	Election Crimes and Security	Drafting	Girado, Gabriel	Bradley	SK
5-01363-22	Agency for Health Care Administ	Supervisor Rev	Gilani, Oaj	Bradley	AHCA
5-01290-22	Dept of State / Election Crimes	Drafting	Girado, Gabriel	Bradley	SK
5-01289-22	Defamation	Drafting	Ramirez, Johnny	Bradley	SK

AMERICAN OVERSIGHT

5-01262-22	**Collection of out of state personal Income Taxes**	Drafting	Shuler, Sarah	Bradley	SK
5-01234-22	**Law enforcement recruitment**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01233-22	**Higher Education**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01232-22	**Higher Education Accountability**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01231-22	**Transparency in higher educatio**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01219-22	**Surveyors - Elevation Certificates**	Released For Approval	Hall, Jennifer	Bradley	SK
5-01213-22	**Statewide Medical Managed Car**	Released For Approval	Shuler, Sarah	Bradley	AHCA
5-01170-22	**Child Care Subsidy / Foster Parer**	Released For Approval	Shuler, Sarah	Bradley	SK
5-01060A-22	**ID Cards**	Released For Approval	Kim, John	Bradley	SK
5-00990-22	**Public Record for Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00983-22	**Florida National Guard**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00982-22	**Medal of Freedom**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00981-22	**Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: JUST FYI - California AB 2098
Date: Thursday, February 24, 2022 10:05:09 AM
Attachments: image001.png

Highlighted Area.

Best,

Janice Gilley | District 1 Chief Legislative Assistant
Senator Doug Broxson | Florida Senate 1st District
418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001
gilley.janice@flsenate.gov | www.flsenate.gov

From: Bell, Victoria <Bell.Victoria@flsenate.gov>
Sent: Thursday, February 24, 2022 10:00 AM
To: Gilley, Janice <Gilley.Janice@flsenate.gov>
Subject: California AB 2098

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILLNO. 2098

Introduced by Assembly Member Low
(Coauthors: Assembly Members Aguiar-Curry, Akilah Weber, and Wicks)
(Coauthors: Senators Pan and Wiener)

February 14, 2022

An act to add Section 2270 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2098, as introduced, Low. Physicians and surgeons: unprofessional conduct.
Existing law provides for the licensure and regulation of physicians and surgeons by the Medical Board of California and the Osteopathic Medical Board of California. Existing law requires the applicable board to take action against any licensed physician and surgeon who is charged with unprofessional conduct, as provided.

AMERICAN OVERSIGHT

This bill would designate the dissemination or promotion of misinformation or disinformation related to the SARS-CoV-2 coronavirus, or "COVID-19," as unprofessional conduct. The bill would require the board to consider specified factors prior to bringing a disciplinary action against a physician and surgeon. The bill would also make findings and declarations in this regard.
DIGEST KEY
Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no
BILL TEXT
THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:
(a) The global spread of the SARS-CoV-2 coronavirus, or COVID-19, has claimed the lives of over 5,000,000 people worldwide, including nearly 75,000 Californians.
(b) Data from the federal Centers for Disease Control and Prevention (CDC) shows that unvaccinated individuals are at a risk of dying from COVID-19 that is 11 times greater than those who are fully vaccinated.
(c) The safety and efficacy of COVID-19 vaccines have been confirmed through evaluation by the federal Food and Drug Administration (FDA) and the vaccines continue to undergo intensive safety monitoring by the CDC.
(d) The spread of misinformation and disinformation about COVID-19 vaccines has weakened public confidence and placed lives at serious risk.
(e) Major news outlets have reported that some of the most dangerous propagators of inaccurate information regarding the COVID-19 vaccines are licensed health care professionals.
(f) The Federation of State Medical Boards has released a statement warning that physicians who engage in the dissemination of COVID-19 vaccine misinformation or disinformation risk losing their medical license, and that physicians have a duty to provide their patients with accurate, science-based information.
(g) In House Resolution No. 74 of the 2021–22 Regular Session, the California State Assembly declared health misinformation to be a public health crisis, and urged the State of California to commit to appropriately combating health misinformation and curbing the spread of falsehoods that threaten the health and safety of Californians.

SEC. 2. Section 2270 is added to the Business and Professions Code, to read:
2270. (a) It shall constitute unprofessional conduct for a physician and surgeon to disseminate or promote misinformation or disinformation related to COVID-19, including false or misleading information regarding the nature and risks of the virus, its prevention and treatment; and the development, safety, and effectiveness of COVID-19 vaccines.
(b) The board shall consider the following factors prior to bringing a disciplinary action against a licensee under this section:
(1) Whether the licensee deviated from the applicable standard of care.
(2) Whether the licensee intended to mislead or acted with malicious intent.
(3) Whether the misinformation or disinformation was demonstrated to have resulted in an individual declining opportunities for COVID-19 prevention or treatment that was not justified by the individual's medical history or condition.
(4) Whether the misinformation or disinformation was contradicted by contemporary scientific consensus to an extent where its dissemination constitutes gross negligence by the licensee.

AMERICAN OVERSIGHT

(c) For purposes of this section, the following definitions shall apply:
(1) “Physician and surgeon” means person licensed by the Medical Board of California or the Osteopathic Medical Board of California under Chapter 5 (commencing with Section 2000).
(2) ”Board” means the Medical Board of California or the Osteopathic Medical Board of California, as applicable.
(d) Section 2314 shall not apply to this section.

Victoria Bell | Executive District 1 Secretary

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.6021

418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

bell.victoria@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: JUST FYI - California AB 2098
Date: Thursday, February 24, 2022 10:05:09 AM
Attachments: image001.png

Highlighted Area.

Best,

Janice Gilley | District 1 Chief Legislative Assistant
Senator Doug Broxson | Florida Senate 1st District
418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001
gilley.janice@flsenate.gov | www.flsenate.gov

From: Bell, Victoria <Bell.Victoria@flsenate.gov>
Sent: Thursday, February 24, 2022 10:00 AM
To: Gilley, Janice <Gilley.Janice@flsenate.gov>
Subject: California AB 2098

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILLNO. 2098

Introduced by Assembly Member Low
(Coauthors: Assembly Members Aguiar-Curry, Akilah Weber, and Wicks)
(Coauthors: Senators Pan and Wiener)

February 14, 2022

An act to add Section 2270 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2098, as introduced, Low. Physicians and surgeons: unprofessional conduct.
Existing law provides for the licensure and regulation of physicians and surgeons by the Medical Board of California and the Osteopathic Medical Board of California. Existing law requires the applicable board to take action against any licensed physician and surgeon who is charged with unprofessional conduct, as provided.

AMERICAN OVERSIGHT

This bill would designate the dissemination or promotion of misinformation or disinformation related to the SARS-CoV-2 coronavirus, or "COVID-19," as unprofessional conduct. The bill would require the board to consider specified factors prior to bringing a disciplinary action against a physician and surgeon. The bill would also make findings and declarations in this regard.
DIGEST KEY
Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no
BILL TEXT
THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:
(a) The global spread of the SARS-CoV-2 coronavirus, or COVID-19, has claimed the lives of over 5,000,000 people worldwide, including nearly 75,000 Californians.
(b) Data from the federal Centers for Disease Control and Prevention (CDC) shows that unvaccinated individuals are at a risk of dying from COVID-19 that is 11 times greater than those who are fully vaccinated.
(c) The safety and efficacy of COVID-19 vaccines have been confirmed through evaluation by the federal Food and Drug Administration (FDA) and the vaccines continue to undergo intensive safety monitoring by the CDC.
(d) The spread of misinformation and disinformation about COVID-19 vaccines has weakened public confidence and placed lives at serious risk.
(e) Major news outlets have reported that some of the most dangerous propagators of inaccurate information regarding the COVID-19 vaccines are licensed health care professionals.
(f) The Federation of State Medical Boards has released a statement warning that physicians who engage in the dissemination of COVID-19 vaccine misinformation or disinformation risk losing their medical license, and that physicians have a duty to provide their patients with accurate, science-based information.
(g) In House Resolution No. 74 of the 2021–22 Regular Session, the California State Assembly declared health misinformation to be a public health crisis, and urged the State of California to commit to appropriately combating health misinformation and curbing the spread of falsehoods that threaten the health and safety of Californians.

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2270. (a) It shall constitute unprofessional conduct for a physician and surgeon to disseminate or promote misinformation or disinformation related to COVID-19, including false or misleading information regarding the nature and risks of the virus, its prevention and treatment; and the development, safety, and effectiveness of COVID-19 vaccines.
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(2) Whether the licensee intended to mislead or acted with malicious intent.
(3) Whether the misinformation or disinformation was demonstrated to have resulted in an individual declining opportunities for COVID-19 prevention or treatment that was not justified by the individual's medical history or condition.
(4) Whether the misinformation or disinformation was contradicted by contemporary scientific consensus to an extent where its dissemination constitutes gross negligence by the licensee.

AMERICAN OVERSIGHT

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(2) ”Board” means the Medical Board of California or the Osteopathic Medical Board of California, as applicable.
(d) Section 2314 shall not apply to this section.

Victoria Bell | Executive District 1 Secretary

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.6021

418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

bell.victoria@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: Letter for discussion
Date: Tuesday, December 28, 2021 3:48:43 PM
Attachments: Letter of Support for NAS FDOT (NASP final).docx

---

Happy New Year!! May I discuss this with you?

Best,

Janice Gilley | District 1 Chief Legislative Assistant
Senator Doug Broxson
p. (850) 595.1036 | c. (850) 776.1451

AMERICAN OVERSIGHT

Dear _____

This letter is in reference to Naval Air StationPensacola (NASP) and access to specific public interest areas located on the installation. In order to preserve the mission of the installation, but also provide for secure access to public interest sites, I support a joint corridor project between the Department of the Navy (Navy) and the Florida Department of Transportation (FDOT).

The corridor will provide a solution to improving security and protecting the critical training mission that NASP provides to our Navy, while simultaneously balancing the needs of the community. The security and protection of our military personnel, their families, and the vital national security assets onboard NASP are of utmost concern, however, NASP is also a vital resource for the economic well-being of Pensacola and the surrounding community. The installation is home to numerous public benefits, such as Barrancas National Cemetery, the National Naval Aviation Museum (NNAM), Pensacola Lighthouse, and National Park Service historic sites. While all of these sites are important in their own right, the NNAM in particular hosted more than 724,000 visitors before public access was revoked in December, 2019, with approximately 33% of those (237,500) being from out of the area. In 2020 the NNAM visitation decreased by 93%, which equates to approximately $28,000,000 in reduced economic impact to the local area.

This joint effort to develop a safe and secure corridor will include local, state and federal resources, making it a true, multi-agency, transportation partnership for the benefit of all. The scope of the project will include roadway and security improvements on board NASP, and will also create operational efficiencies for the community. Installation security improvements will include a new Main Gate that will meet current force protection requirements with final denial barriers, a critical security measure the base is currently lacking. Through this unprecedented partnership between state and federal agencies, the opportunity arises for Pensacola and the Navy to reinforce their rich history of working together.

I appreciate your commitment to the protection of our country and your consideration for this important project for NAS Pensacola and our citizens.

Sincerely,

AMERICAN OVERSIGHT

From:	Gilley, Janice
To:	Kopelousos, Stephanie; Spencer, Chris
Subject:	Letter of Support - NW FL Estuary Water Quality Protection
Date:	Wednesday, April 20, 2022 10:07:49 AM
Attachments:	image002.png NW Florida Estuary Water Quality Protection Project LFIR 2645.pdf

---

They are still coming in!!

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451

418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

WAKULLA
COUNTY

BOARD OF COUNTY COMMISSIONERS

Quincee Messersmith
Chair, District 4

Charles Hess, Ph.D.
Vice-Chair, District 5

Ralph Thomas
District 1

Randy Merritt
District 2

Mike Kemp
District 3

J. David Edwards
County Administrator

Heather J. Encinosa
County Attorney
(850) 224-4070

Intergovernmental Affairs
Post Office Box 1263
Crawfordville, FL 32326
(850) 926-0919 x 703
(850) 926-0940 FAX

April 18, 2022

To Whom it May Concern –

Wakulla County would like to express its support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645). This project will provide Wakulla County the ability to leverage data in order to secure much needed RESTORE Act funding for our community.

In response to the Deepwater Horizon oil spill, the U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act), thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to receive funding pursuant to this program. RESTORE Act funding streams provide the opportunity to secure regional water quality improvements and sustain healthy waters on a generational scale. Since the Trust Fund's establishment in 2017, however, Florida Panhandle coastal counties have received significantly less funding than other states.

The Center for Coastal Solutions (CCS), which is based out of the University of Florida's (UF) Herbert Wertheim College of Engineering, leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health.

The CCS team will use a water quality monitoring network to fill the Panhandle region's gaps in expertise and resources to achieve needed environmental and economic insights and provide data-driven guidance on restoration project investment opportunities. Local counties and other regional partners will be able to leverage the water quality and economic analytics capabilities of the UF CCS team and the monitoring network to prepare regionally impactful, coordinated project proposals.

CCS will collaborate and coordinate with Wakulla County and other local government partners in developing grant proposal content and submittal with DEP's Deep Water Horizon program and potential grantees to develop large scale proposals with a higher likelihood of funding approval.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

Quincee Messersmith
Chair

AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie; Spencer, Chris
Subject: Letter of Support from Okaloosa BOCC
Date: Wednesday, April 6, 2022 4:43:55 PM
Attachments: image001.png
Letter to DeSantis 2022-04-06_120943.pdf

Hey Y'all:

Another one.

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District
418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001
gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

Board of County Commissioners

State of Florida

April 5, 2022

The Honorable Ron DeSantis
Governor, State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399

Dear Governor DeSantis,

On behalf of the Okaloosa County Board of County Commissioners, I am reaching out to express support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645), which will make Panhandle communities more competitive for federal RESTORE ACT oil spill recovery funds.

The U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) in response to the Deepwater Horizon oil spill, thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to compete for funding through this program for regional water quality and ecosystem improvements on a generational scale. Unfortunately, Florida Panhandle coastal counties have received significantly less funding than peer communities across the Gulf Coast. The Northwest Florida Estuary Water Quality Protection and Restoration Project is a collaborative effort among Florida's Panhandle counties to utilize advanced data and analytics tools to better compete for a fair share of these funds.

Panhandle counties will partner with the University of Florida's Center for Coastal Solutions (CCS), which is based out of the Herbert Wertheim College of Engineering. CCS leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health. In this partnership with Panhandle counties, CCS will use its existing monitoring tools and technical expertise to provide data-driven support for communities seeking RESTORE funds. Applicants will be able to leverage the water quality and economic analytics capabilities of the UF CCS team to prepare regionally-impactful, coordinated project proposals with a higher likelihood of funding approval.

The Northwest Florida Estuary Water Quality Protection and Restoration Project will generate a substantial ROI for Panhandle communities and the state as a whole. Florida can and should be awarded a much higher share of RESTORE funding and the utilization of CCS tools and expertise supported by this request will greatly strengthen our competitive advantage.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

Mel Ponder
Chairman, Okaloosa County Commission

1250 N. Eglin Pkwy, Suite 100 • Shalimar, FL 32579 • (850) 651-7105 • Fax: 651-7142

AMERICAN OVERSIGHT

From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: List
Date: Wednesday, March 16, 2022 4:13:39 PM
Attachments: image001.png
SUPPORT LIST 2022 - Senator BROXSON.xlsx

Please call to discuss.

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District
418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001
gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

Project Title	FINAL
NW Florida Estuary Program - Line 145	$ 3,000,000
Pensacola & Perdido Bays Estuary Program - Oyster Restoration and Community Grant Program - Line 1644A	$ 495,000
Brain Bag Early Literacy program - Line 78	$ 115,000
National Flight Academy - Line 104	$ 421,495
General Daniel Chappie James Flight Academy New facility equipment and furnishings - Line 104	$ 130,000
Andrews Institute Research: Regenerative Medicine - Line 451	$ 1,000,000
UF IFAS West FL Research & Extension Student Dorms - PECO	$ 1,900,000
Pensacola State College- Asphalt Improvement All Campuses - PECO	$ 5,578,528
Veteran Memorial Park Foundation Facilities Development, Maintenance, & Repair - Line 2286A	$ 355,000

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	Public Records Bill linke to Draft 01262 (income tax collection)
Date:	Monday, December 20, 2021 4:06:13 PM
Attachments:	5-01806-22 Public Rec Bill linked to 01262 (Income Tax Collection).docx

Attached is a public records draft – needs to be filed if you file draft #01262

Tonya J Shays

Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01806-22

A bill to be entitled

An act relating to public records; amending s. 221.09, F.S.; providing a public records exemption for information developed or received by the Department of Financial Services pursuant to an investigation of violations of requirements related to out-of-state personal income tax collection; providing construction; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 221.09, Florida Statutes, as created by SB ___ or other similar legislation, is amended to read:

221.09 Powers and duties of the department.—

(3)(a) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the office may examine the books, accounts, records, and other documents or matters of any person subject to this part. The office may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the office has reason to believe a person has violated or will violate this part or related rules.

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-000458

(b)1. All papers, documents, reports, or any other records developed or received by the department pursuant to an investigation under this subsection are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such investigation is completed or ceases to be active. For the purpose of this paragraph, an investigation is considered active while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or another administrative or law enforcement agency.

2. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the papers, documents, reports, or any other records developed or received by the Department of Financial Services pursuant to investigations of violations of requirements related to out-of-state personal income tax collection be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The premature release of such investigatory information could frustrate or thwart such investigations and impair the ability of the department to effectively and efficiently administer s. 221.09, Florida Statutes. In addition, release of such information before completion of an active

AMERICAN OVERSIGHT

investigation could jeopardize the ongoing investigation. The Legislature finds that the harm that may result from the release of information received by the department pursuant to an investigation under s. 221.09, Florida Statutes, could impair the effective and efficient administration of such investigations and thus outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: Public Records Bill linke to Draft 01262 (income tax collection)
Date: Monday, December 20, 2021 4:06:13 PM
Attachments: 5-01806-22 Public Rec Bill linked to 01262 (Income Tax Collection).docx

---

Attached is a public records draft – needs to be filed if you file draft #01262

Tonya J Shays

Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01806-22

A bill to be entitled

An act relating to public records; amending s. 221.09, F.S.; providing a public records exemption for information developed or received by the Department of Financial Services pursuant to an investigation of violations of requirements related to out-of-state personal income tax collection; providing construction; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-000462

(b)1. All papers, documents, reports, or any other records developed or received by the department pursuant to an investigation under this subsection are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such investigation is completed or ceases to be active. For the purpose of this paragraph, an investigation is considered active while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or another administrative or law enforcement agency.

2. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that the papers, documents, reports, or any other records developed or received by the Department of Financial Services pursuant to investigations of violations of requirements related to out-of-state personal income tax collection be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The premature release of such investigatory information could frustrate or thwart such investigations and impair the ability of the department to effectively and efficiently administer s. 221.09, Florida Statutes. In addition, release of such information before completion of an active

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000463

investigation could jeopardize the ongoing investigation. The Legislature finds that the harm that may result from the release of information received by the department pursuant to an investigation under s. 221.09, Florida Statutes, could impair the effective and efficient administration of such investigations and thus outweighs the public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

From: Gilley, Janice on behalf of Broxson.Doug
To: Kopelousos, Stephanie; Swonson, Bethany; Hess-Sitte, Allison; Bell, Victoria; Goyins, Sadie; Gilley, Janice
Cc: Elwell, Tim; Brill, Victoria; Bouck, Matthew
Subject: REMINDER: Discuss Issues related to Graduation

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: 5-01289-22
Date: Tuesday, January 4, 2022 9:09:35 AM

This one is still in redraft as of this morning -

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Sunday, January 2, 2022 3:06 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: 5-01289-22

Can you replace with this version of the bill with the attached language….our attorneys worked on additional language…thank you.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Subject:	RE: 5-01423-22 DRAFT
Date:	Friday, December 17, 2021 3:41:26 PM

Got it, thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Friday, December 17, 2021 3:33 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Dowd, Cory <Cory.Dowd@eog.myflorida.com>
Subject: 5-01423-22 DRAFT

We have a few edits to the draft…they are in track changes attached.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: 5-01423-22 DRAFT
Date: Monday, December 20, 2021 3:45:43 PM
Attachments: 5-01423A-22 DOAH Attny Fees revised.docx

Revised draft attached (DOAH attny fees)

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Friday, December 17, 2021 3:33 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Dowd, Cory <Cory.Dowd@eog.myflorida.com>
Subject: 5-01423-22 DRAFT

We have a few edits to the draft…they are in track changes attached.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

5-01423A-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-000469

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

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provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000471

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Subject:	RE: Bill Drafting DOAH attorneys fees
Date:	Wednesday, December 1, 2021 10:09:18 AM

5-01423-22 Senate Draft Number

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 9:48 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>; Heffley, Katelyn <Heffley.Katelyn@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Bill Drafting DOAH attorneys fees

Can you put this in bill drafting?
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Heffley, Katelyn
Subject: RE: Bill Drafting....CRT
Date: Wednesday, December 1, 2021 1:52:01 PM
Attachments: updated draft list SK.pdf

No problem
This Draft #5-01517-22

I have attached a doc with all that are submitted and corresponding draft number for convenience. If you see anything missing let me know – believe we have them all, though.
Tonya

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 1:32 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>; Heffley, Katelyn <Heffley.Katelyn@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Bill Drafting....CRT

Sorry….another one

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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Draft Numbe	Subject	Status	Drafter	Requester	FOR
5-01517-22	Educ Instruction / CRT	Drafting		Bradley	SK
5-01484-22	FHSAA	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01482-22	School Board Accountability	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01430-22	DOAH Attorneys Fees	Drafting	Shumate, Lisa	Bradley	SK
5-01423-22	Division of Administrative Hearing Attorney Fees	Drafting	Girado, Gabriel	Bradley	SK
5-01420-22	Cabinet Reform - Executive Reorganization	Drafting	Girado, Gabriel	Bradley	SK
5-01416-22	Cabinet Reform DHSMV	Drafting	Girado, Gabriel	Bradley	SK
5-01409-22	Cabinet Reform Vote 10-5-21 FDLE, DEP, VA	Drafting	Girado, Gabriel	Bradley	SK
5-01387-22	Fee Bill for Collect of Income Tax Draft #5-01262	Drafting	Shuler, Sarah	Bradley	SK
5-01386-22	Immigration	Drafting	Ramirez, Johnny	Bradley	SK
5-01385-22	Property Tax Abatement Conforming Bill	Drafting	Shuler, Sarah	Bradley	SK
5-01382-22	Election Crimes and Security	Drafting	Girado, Gabriel	Bradley	SK
5-01363-22	Agency for Health Care Adminis	Supervisor Rev	Gilani, Oaj	Bradley	AHCA
5-01290-22	Dept of State / Election Crimes	Drafting	Girado, Gabriel	Bradley	SK
5-01289-22	Defamation	Drafting	Ramirez, Johnny	Bradley	SK
5-01262-22	Collection of out of state personal Income Taxes	Drafting	Shuler, Sarah	Bradley	SK
5-01234-22	Law enforcement recruitment	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01233-22	Higher Education	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01232-22	Higher Education Accountabilit	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01231-22	Transparency in higher educati	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01219-22	Surveyors - Elevation Certificat	Released For Approval	Hall, Jennifer	Bradley	SK

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5-01213-22	**Statewide Medical Managed Ca**	Released For Approval	Shuler, Sarah	Bradley	AHCA
5-01170-22	**Child Care Subsidy / Foster Pare**	Released For Approval	Shuler, Sarah	Bradley	SK
5-01060A-22	**ID Cards**	Released For Approval	Kim, John	Bradley	SK
5-00990-22	**Public Record for Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00983-22	**Florida National Guard**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00982-22	**Medal of Freedom**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00981-22	**Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK

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From:	Shays, Tonya
To:	Kopelousos, Stephanie
Subject:	RE: Bill Drafting..Riot Definition
Date:	Wednesday, December 1, 2021 4:28:55 PM

5-01566-22 Senate Draft Number

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 4:02 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>; Heffley, Katelyn <Heffley.Katelyn@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Bill Drafting..Riot Definition

Please put in the bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Heffley, Katelyn
Subject: RE: Bill Drafting
Date: Wednesday, December 1, 2021 12:10:37 PM

Got them! Katie is out right now cause she is on her way to kill you ….

;)

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 11:32 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>; Heffley, Katelyn <Heffley.Katelyn@flsenate.gov>
Subject: Bill Drafting

I know yall are about to kill me……can you please please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
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850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Cabinet Reform
Date: Wednesday, December 1, 2021 10:01:11 AM

Draft numbers for these are below:
5-01409-22 Cabinet Reform Language Vote – 10-5-21
5-01416-21 Cabinet Reform Language Vote DHSMV – 10-5-21
5-01420-22 Cabinet Reform Language Vote DHSMV – Ad Com - FLWAC

Tonya ☺

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, November 30, 2021 8:09 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Cabinet Reform

Can you please put this in bill Drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Constitutional amendment regarding - rights
Date: Wednesday, December 1, 2021 3:05:07 PM

Draft 5-01538-22

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 2:53 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>; Heffley, Katelyn <Heffley.Katelyn@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Constitutional amendment regarding - rights

One more…..

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Do you have the draft for 5-01290-22
Date: Tuesday, January 4, 2022 9:04:25 AM
Attachments: 5-01290-22 DOS Election.docx
5-01795-22 public records accompanies 01290.docx

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Monday, January 3, 2022 5:25 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Do you have the draft for 5-01290-22

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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5-01290-22

A bill to be entitled

An act relating to relating to election security; creating s. 97.022, F.S.; creating the Office of Election Crimes and Security within the Department of State; designating the office as a criminal justice agency; providing the purpose of the office; authorizing the office to review complaints and investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing the office to conduct certain information gathering and investigations for specified purposes with regard to election officers; authorizing the statewide prosecutor to file a writ of mandamus directly with a specified court to mandate the compliance of certain officials; authorizing the appointment of an office director; specifying the structure of the office; requiring certain qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies empowered to investigate alleged election law violations is not limited, but authorizing the office to assert primary jurisdiction in any such investigation; requiring a statewide prosecutor to investigate complaints referred by the

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000483

office, take action as warranted, and report to the office on final disposition; specifying that a statewide prosecutor's failure to initiate action on a complaint or referral by the office does not bar further action by any other law enforcement entity having jurisdiction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(1) The Office of Election Crimes and Security is created within the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in this state.

(2) The office may review complaints and conduct investigations into alleged violations of the Florida Election Code or any rule adopted pursuant thereto and any election irregularities. As needed, based on the findings of its reviews

AMERICAN OVERSIGHT

and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election code violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election code violations or election irregularities which it deems frivolous and intended to otherwise disrupt the legal administration of this state's elections or the certification of this state's election results.

(3) In order to ensure that election officers are complying with the Florida Election Code, the office is authorized to conduct proactive information gathering and investigations to identify and prevent potential election code violations or election irregularities. If a case is referred to the statewide prosecutor, he or she may directly file a writ of mandamus with the First District Court of Appeal to mandate the compliance of county supervisors of elections with this code.

(4) The secretary shall appoint a director of the office who is qualified by training and experience in law enforcement or security to supervise, direct, coordinate, and administer all activities of the office.

(5) The office shall consist of a central office in Tallahassee, as well as sworn law enforcement officers having statewide jurisdiction and nonsworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the

AMERICAN OVERSIGHT

department shall meet the requirements for employment and appointment provided in s. 943.13 and shall satisfy the requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of the Florida Election Code or any rule adopted pursuant thereto, or any law of this state.

(7) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(8) The office shall oversee the department's voter fraud hotline.

(9) This section does not limit the jurisdiction of any other office or agency of this state empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction in any investigation initiated by a local law enforcement agency or state attorney concerning election law violations or election irregularities.

(10) A statewide prosecutor receiving a complaint referred by the office shall investigate the complaint promptly and thoroughly, undertake any related criminal or civil actions as justified by law, and report to the office the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a

AMERICAN OVERSIGHT

statewide prosecutor to prosecute or initiate action on a complaint or referral by the office may not bar further action by any other law enforcement entity having jurisdiction.

Section 2. This act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000487

5-01795-22

A bill to be entitled

An act relating to public records; amending s. 97.022, F.S.; creating a public records exemption for information gathered by the Office of Election Crimes and Security of the Department of State as part of an investigation; specifying circumstances under which the exemption no longer applies; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 97.022, Florida Statutes, as created by SB ____ or similar legislation, is amended to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(7)(a) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(b) All information received by the office pursuant to an investigation by the office is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active or the information has been made part of a hearing or court proceeding. This paragraph is subject to the Open Government Sunset Review Act in

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FL-GOV-22-0226_20-0378A-000488

accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that is a public necessity that information received by the Office of Election Crimes and Security during an investigation be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution until the investigation ceases to be active or action taken by the office has concluded or been made part of a hearing or court proceeding. The release of such information about a pending investigation by the office could obstruct or jeopardize the integrity of the investigation or proceeding and impair the ability of the office in the performance of its official duties as required under s. 97.022, Florida Statutes. This exemption creates a secure environment in which the office may conduct its investigation. Therefore, the Legislature finds that it is a public necessity to make such information confidential and exempt from public records requirements.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Fee bill for out of state tax collectors
Date: Wednesday, December 1, 2021 8:34:06 AM

Draft #5-01386-22
Yes, bill drafting says it does need a separate fee bill.
Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, November 30, 2021 9:11 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Fee bill for out of state tax collectors

Tonya,
Need to check with bill drafting but we think we need fee bill or bills for the out of state tax collectors bill 5-01262-22.
Thanks,
Stephanie

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From: Gilley, Janice
To: Kopelousos, Stephanie
Subject: RE: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 11:28:35 AM
Attachments: image001.png

Thank you!

Best,

Janice Gilley | District 1 Chief Legislative Assistant
Senator Doug Broxson | Florida Senate 1st District
418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451
418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001
gilley.janice@flsenate.gov | www.flsenate.gov

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, March 29, 2022 10:19 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Governor Ron DeSantis' Bill Action Today, March 29, 2022

The Governor's Office received the following bills today:

SB 236 – Children with Developmental Delays
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 934 – Public Records
CS/SB 102 – Establishing the Congressional Districts of the State

The Governor has until April 13, 2022 to act on these bills.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Immigration
Date: Tuesday, January 4, 2022 2:29:56 PM

You have a house draft number for the immigration bill and/or the TF language? – that way Senate drafting can speak to House drafting, etc… will save time.
Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:22 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Immigration

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
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850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Immigration
Date: Tuesday, January 4, 2022 2:36:05 PM

Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:34 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: RE: Immigration

82889 is the immigration bill
83258 is the Trust fund bill

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:30 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE: Immigration

You have a house draft number for the immigration bill and/or the TF language? – that way Senate drafting can speak to House drafting, etc… will save time.
Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:22 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Immigration

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
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Executive Office of the Governor
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850-510-6613 (cell)

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AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Possible Public Record Exemption Provision in Bill
Date: Monday, January 3, 2022 9:43:19 AM
Attachments: image001.png

Ok, thanks – got both

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Sunday, January 2, 2022 3:29 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: FW: Possible Public Record Exemption Provision in Bill

This aligns to your 5-01262022 see House requests and comments

---

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

---

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax

AMERICAN OVERSIGHT

collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption provision in it. See subsection (3) on lines 119-130.

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

House Bill Drafting Service
Florida House of Representatives
1501 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Phone: (850) 717-5300

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-000498

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Possible Public Record Exemption Provision in Bill
Date: Monday, January 3, 2022 9:43:19 AM
Attachments: image001.png

Ok, thanks – got both

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Sunday, January 2, 2022 3:29 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: FW: Possible Public Record Exemption Provision in Bill

This aligns to your 5-01262022 see House requests and comments

---

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

---

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax

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collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption provision in it. See subsection (3) on lines 119-130.

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

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HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-000501

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: Possible Public Record Exemption Provision in Bill
Date: Monday, January 3, 2022 10:30:17 AM
Attachments: image001.png

Just to be sure I understand here – the attachments you provided are identical to the current Senate drafts, so there is nothing to do on our end… if I am not correct let me know. As written in the attachments you provided, the following are already drafted identically.

5-01806-22 - Public Records Tax Collection Senate Draft
5-01387-22 - Fee Bill Tax Collection Senate Draft
These bills accompany draft 5-01262-22 Collection of out-of-state

Thanks,
Tonya

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Sunday, January 2, 2022 3:29 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: FW: Possible Public Record Exemption Provision in Bill

This aligns to your 5-01262022 see House requests and comments

---

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

---

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

AMERICAN OVERSIGHT

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption provision in it. See subsection (3) on lines 119-130.

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

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1501 The Capitol
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Phone: (850) 717-5300

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HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-000505

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: a few changes....5-01564-22
Date: Tuesday, January 4, 2022 2:35:55 PM
Attachments: draft 01564A Campaign Finance.docx

The revised "A" version of this draft is attached is attached
Tonya

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Monday, January 3, 2022 8:45 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: a few changes....5-01564-22

edits are in red.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. s. 30121 and 11 C.F.R. s. 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or an expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, a partnership, an association, an organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the

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United States and is not admitted lawfully to the United States for permanent residence.

Section 2. This act shall take effect July 1, 2022.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: can you drop this in bill drafting
Date: Wednesday, December 1, 2021 12:22:56 PM

Yes, sorry – Senate Draft Number 5-01430-22

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 11:17 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: FW: can you drop this in bill drafting

Do you have a Bill Draft Number for this one?

Thanks
Stephanie

From: Kopelousos, Stephanie
Sent: Wednesday, November 24, 2021 6:47 PM
To: 'shays.tonya@flsenate.gov' <shays.tonya@flsenate.gov>
Subject: can you drop this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: edits to Bill Draft 1484
Date: Wednesday, January 5, 2022 10:10:29 AM

This is still in redraft, but I noticed some comments that I may not have shared so I wanted to do so / this is pre-edits you sent:
Hello Katelyn
The changes vesting legislative power in the board of directors and saying it acts as a representative assembly had knock on effects throughout the rest of the statute since it set up a direct conflict with the provisions regarding the current representative assembly that has legislative power. I had to make conforming changes throughout to address this, please make sure I understood correctly and you guys agree with them. You may also want to run this by the ed committee if you haven't already.

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:51 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: edits to Bill Draft 1484

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: immigration draft
Date: Tuesday, January 4, 2022 9:06:39 AM
Attachments: 5-01386-22 Immigration.docx

Drafting comments:
I wanted to let you know that we drafted as requested, per the attachment, but I wanted to let you know that I don't think that the language added to s. 787.07, relating to the crime of human smuggling, is the most appropriate section of law to add provisions relating to the renewal of government contracts and entities receiving benefits.

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Monday, January 3, 2022 5:52 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: immigration draft

5-011386-22
Have you received this draft back?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility for the enforcement of specified provisions; amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances; amending s. 908.102, F.S.; revising the definition of the term "sanctuary policy"; creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program; requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail; providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the Department of Law Enforcement; requiring the department to post the data on its website; creating ch. 909, F.S., entitled "Public Benefits for Illegal Aliens"; creating s.

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FL_GOV_22-0226_20-0378A-000513

909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an illegal alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.; requiring the Agency for Health Care Administration and the Department of Health to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to illegal aliens for specified fiscal years; requiring the agency to require managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens for specified fiscal years; requiring the agency and the department to collect such information and provide it annually by a specified date in a report to the Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; creating s. 909.04, F.S.; requiring the executive director of the Department of Law Enforcement to conduct regular audits of companies doing business in this state to ensure compliance with

AMERICAN OVERSIGHT

specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of <u>enforcing</u> ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.

AMERICAN OVERSIGHT

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section 787.07, Florida Statutes, is amended to read:

787.07 Human smuggling.—

(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of subsection (1) ~~this section~~.

(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state. Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the

AMERICAN OVERSIGHT

carrier is found to be providing such services during the contract period.

(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 or pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's

AMERICAN OVERSIGHT

incarceration status or release date; or

(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.

Section 4. Section 908.11, Florida Statutes, is created to read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357. Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023.

(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.

(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.

(2) Each county sheriff shall make a determination of immigration status at the time of booking in county jail, as authorized in 8 U.S.C. s. 1226(d)(3).

(3) Each clerk of the circuit court shall make a determination of immigration status at the time of sentencing

AMERICAN OVERSIGHT

for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).

(4) By January 1, 2023, the data collected under subsections (1), (2), and (3) must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website, and must include all of the following:

(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.

(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.

Section 5. Chapter 909, Florida Statutes, consisting of sections 909.01-909.04, is created and entitled "Public Benefits for Illegal Aliens."

Section 6. Section 909.01, Florida Statutes, is created to read:

909.01 Definitions.—As used in this chapter, the term:

(1) "Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.

(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.

(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).

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Section 7. Section 909.02, Florida Statutes, is created to read:

909.02 Prohibition of benefits.—

(1) An agency as defined in s. 120.52 may not provide benefits to an illegal alien, except as otherwise clearly required by federal or state law or except where necessary to prevent imminent serious bodily injury or loss of life or to prevent, investigate, or prosecute criminal activity.

(2) Such agencies shall use any applicable and available federal rules or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility, based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.

(3) Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.

Section 8. Section 909.03, Florida Statutes, is created to read:

909.03 Collection of information on health care services provided to illegal aliens.—

(1) The Agency for Health Care Administration in coordination with the Department of Children and Families, and the Department of Health in coordination with county health departments, shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but

AMERICAN OVERSIGHT

not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.

(2) The Agency for Health Care Administration shall require, consistent with federal and state law, managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any program, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, this information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.

(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.

(4) The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.

Section 9. Section 909.04, Florida Statutes, is created to read:

909.04 Audits of Employers.—

(1) The executive director of the Department of Law

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Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.

(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).

(3) The Department of Law Enforcement shall adopt rules to implement this section.

Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:

1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.

(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a school district, and charter technical career centers, shall require each student to document his or her immigration status by providing a birth certificate, proof of residency, or other

AMERICAN OVERSIGHT

acceptable identification upon enrollment in school.

(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.

Section 11. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000523

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: RE: surfside
Date: Wednesday, December 1, 2021 8:19:44 AM

I have Katie Heffley in our office assisting in submitting them this morning so she will be sending a couple of draft numbers as well.

Draft #5-01385-22 – Conforming Property tax Abatement

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, November 30, 2021 9:18 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: surfside

Tonya,
Can you please put this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Re: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date: Thursday, December 16, 2021 11:26:38 AM

Got it.

Sent from my iPhone

> On Dec 16, 2021, at 9:48 AM, Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com> wrote:
>
> The question is do we need 3 different fee bills or can they be combined into one.
>
> ---
>
> **From:** Shays, Tonya <SHAYS.TONYA@flsenate.gov>
> **Sent:** Wednesday, December 15, 2021 9:19 AM
> **To:** Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
> **Subject:** FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
> **Importance:** High
>
> Good Morning!
> Please see the email below – the attorney drafting this bill said she has two versions so wanted to clarify which to draft – she is waiting for further instruction before she proceeds. If you have a name in your office that can speak to her directly to clarify the instructions I will share that with her and they can speak directly.
> Thanks,
> Tonya
>
> ---
>
> **From:** Shays, Tonya
> **Sent:** Friday, December 3, 2021 9:45 AM
> **To:** 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
> **Subject:** FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
>
> Please review below and let me know how you'd like Bill Drafting to proceed. I can certainly authorize them to talk directly to you folks if you'd like to get us out of the loop.
> Tonya
>
> ---
>
> **From:** Shuler, Sarah <Shuler.Sarah@flsenate.gov>
> **Sent:** Friday, December 3, 2021 9:37 AM
> **To:** Shays, Tonya <SHAYS.TONYA@flsenate.gov>
> **Subject:** Draft Number: 5-01387-22 (Income Tax Fee Bill)

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Hi Tonya,
I was just checking in about which version I should draft for the fee bill. Since the only difference among them is the amount and entity responsible for paying the fee, this is a policy choice on which I will need additional direction.

Also, I wanted to mention ahead of time that the general administrative and rulemaking authority included in the attached language for the fee bill will have to be put into the linked substantive bill. The constitutional provision regarding fees requires that the bill only include the fee as the subject matter. But, this will be very straightforward for me to transfer to the other draft.

Thanks for your help and I hope you have a great Friday!

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

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From: Bradley.Jennifer
To: Kopelousos, Stephanie
Subject: Re: Information
Date: Saturday, December 11, 2021 1:05:34 PM

Thanks!

Jennifer Bradley
State Senate, District 5
Sent from my iPhone

> On Dec 11, 2021, at 12:36, Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com> wrote:
>
> Just wanted to show the information from yesterdays press conference.
> Stephanie
>
> **Stephanie Kopelousos**
> Director of Legislative Affairs
> Executive Office of the Governor
> 850-717-9320
> 850-510-6613 (cell)
>
> Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.
> <Biden Border Crisis.pdf>

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Re: Updated HigherEd Draft....5-01233-22
Date: Thursday, January 6, 2022 9:02:27 PM
Attachments: UPDATED S Feedback - Draft 01233 Higher Ed Combined - 1.6.22 (ABAK).docx

---

Sorry - I was driving when this came. I don't think k bill drafting will be able to turn it around if there are many changes before 5pm tomorrow so you may want to go with the current version if there are many changes. Let me know your preference- I told Sen Bradly not to make any changes after 2pm today for the same reason

Sent from my iPhone

> On Jan 6, 2022, at 5:09 PM, Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com> wrote:
>
> **Sorry this is the last update**
> Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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5-01233-22

A bill to be entitled

An act relating to higher education; amending s. 1001.03, F.S.; providing that a Florida College System institution that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; creating s. 1001.644, F.S.; requiring the State Board of Education to develop and annually deliver a training program for its members and each Florida College System institution board of trustees; providing the purposes of the training; requiring each member of the State Board of Education and each member of a Florida College System institution board of trustees to participate in the training program within a specified timeframe; requiring specified content to be included in the training; authorizing the State Board of Education to adopt rules; amending s. 1001.71, F.S.; requiring public notice and agendas for state university boards of trustees meetings to be published in a specified manner; amending s. 1001.706, F.S.; deleting authorization for state university boards of trustees to adopt rules or regulations under certain circumstances; requiring the Board of Governors and state universities to publish notices of the proposed adoption, amendment, or repeal of regulations in a specified manner; making technical changes; requiring the Board of Governors to ensure that state university students have access to certain civic literacy courses

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and assessments; revising Board of Governors procedures for review and approval of certain programs; revising requirements for certain training the Board of Governors must develop and deliver; authorizing the Board of Governors to transfer certain unused appropriations if authorized by a specific appropriation in the General Appropriations Act; requiring the Chancellor of the State University System to immediately notify and regularly apprise the Governor and the Legislature if the Board of Governors determines that a state university president or board of trustees is under investigation regarding certain allegations; revising the Board of Governors' powers and duties relating to personnel; revising the Board of Governors' powers and duties relating to property; providing that a state university that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; making technical changes; creating s. 1001.725, F.S.; specifying requirements for university boards of trustees and university presidents relating to selection and reappointment of certain personnel; requiring each university president to annually present to his or her board of trustees the results of performance evaluations and associated salaries for certain personnel; amending s. 1004.03, F.S.; requiring the State Board of Education and the Board of Governors to establish, for the Florida College System and the State University System,

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respectively, a schedule for the regular review of postsecondary educational programs; specifying requirements for the reviews; providing for the usage of review results; requiring the State University System and Florida College System, to the extent possible, to coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration; amending s. 1004.04, F.S.; requiring the Commissioner of Education to conduct an audit of state-approved teacher preparation programs, processes, and systems; providing the purposes of the audit; specifying audit requirements; requiring the Commissioner of Education to submit to the Governor and the State Board of Education audit findings and recommendations at specified intervals; amending s. 1004.085, F.S.; requiring the Chancellor of the Florida College System and the Chancellor of the State University System, as applicable, to provide a summary of the information from institutions certifying their compliance with certain public posting requirements; amending s. 1007.24, F.S.; requiring the Commissioner of Education to recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses; revising the maintenance requirements of the statewide course numbering system; requiring certain postsecondary educational institutions to accept and apply general education

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courses and credit in a specified manner; requiring the State Board of Education to adopt rules; specifying requirements for the rules; amending s. 1007.25, F.S.; requiring faculty committees to submit reviews and recommendations on general education core courses to the Articulation Coordinating Committee and the Commissioner of Education at specified intervals; requiring public postsecondary students, beginning with a certain academic year, to complete certain courses as part of general education core course requirements; requiring all public postsecondary educational institutions to accept certain courses; creating s. 1007.55, F.S.; providing legislative findings; providing principles that specified entities must apply when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses; requiring students initially entering a public postsecondary educational institution in a specified school year to complete at least one core course in specified subject areas as part of general education core course requirements; specifying standards for core courses; requiring that, to the greatest extent possible, certain civic literacy courses be available as core courses in each of the general education subject areas; providing standards to be considered in the approval of a course as a general education course; requiring all public postsecondary educational institutions to offer all

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approved general education core courses; requiring general education courses to be accepted as such, in the same subject area, by all public postsecondary educational institutions; providing that public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, the general education course and general education core course requirements at their respective institutions; prohibiting public postsecondary educational institutions that fail to comply with certain requirements from receiving performance-based funding; amending s. 1008.32, F.S.; requiring the Commissioner of Education to consider any response to allegations of noncompliance received by the commissioner; granting the state board the authority to require that certain entities comply with specified requirements; amending s. 1008.322, F.S.; requiring the Chancellor of the State University System to consider any response to allegations of noncompliance received by the chancellor; granting the Board of Governors the authority to require that a university comply with specified requirements; creating s. 1008.325, F.S.; providing legislative intent; requiring the State Board of Education and the Board of Governors to determine each Florida College System institution's and each state university's eligibility, respectively, to receive performance-based funding; requiring the Chancellor of the Florida College System and the

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Chancellor of the State University System to publicly report to their respective state boards each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations; requiring the State Board of Education and the Board of Governors to report quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to state laws, rules, and regulations; requiring the State Board of Education or the Board of Governors, as applicable, to seek a remedy for any public postsecondary educational institution that is not in compliance; requiring the State Board of Education or the Board of Governors, as applicable, to withhold performance-based funding from a public postsecondary educational institution that is unable or unwilling to comply with applicable state laws, rules, or regulations; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.45, F.S.; revising the requirements of the Florida College System institution accountability process; amending s. 1008.46, F.S.; requiring the Board of Governors to address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees to address within its annual evaluation of its university president, the extent of system and institutional compliance with statutory and regulatory requirements

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of law, respectively; amending ss. 1009.23 and 1009.24, F.S.; prohibiting boards of trustees of Florida College System institutions and state universities, respectively, from increasing specified student fees after a specified date; providing that Florida College System institutions and state universities, respectively, may increase certain fees by a specified amount under certain conditions after a specified date; providing exceptions; requiring certain boards of trustees to report to the Chancellor of the State University system the total amount of revenue generated by certain fees by a specified date; requiring the Chancellors of the Florida College System and the State University System, respectively, to submit to the Governor and the Legislature a report concerning revenue generated by certain fees; specifying requirements for the report; requiring Florida College System institutions and state universities, respectively, to post specified information relating to tuition and fee rates and proposed changes to such rates on their websites and in a press release e-mailed to enrolled students; requiring each Florida College System institution and each state university to annually submit a fee schedule to the State Board of Education and the Board of Governors, respectively, for approval by a date established by State Board of Governors rule or Board of Governors regulation, respectively; requiring submission of an amended fee schedule under certain

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circumstances; amending s. 1011.81, F.S.; requiring the State Board of Education to collaborate with the Board of Governors in creating a template for use by Florida College System Institutions in creating an annual report on revenue sources; requiring that the report detail specified information; requiring Florida College System institutions to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the State Board of Education's website; revising the limitations imposed on the use of certain funds by Florida College System institutions; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.90, F.S.; requiring the Board of Governors to collaborate with the State Board of Education in creating a template for use by state universities in creating an annual report on revenue sources; requiring that the reports detail specified information; requiring state universities to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the Board of Governors' website; revising the limitations imposed on the use of certain funds by state universities; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.91, F.S.; authorizing the Chancellor of the State University System to monitor and

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periodically review university expenditures; amending s. 1012.80, F.S.; requiring policies adopted by Florida College System institutions and state universities to be adopted in accordance with State Board of Education rule and Board of Governors regulation, respectively; requiring such policies to include discretionary penalties for participation in disruptive activities at public postsecondary educational institutions; authorizing the State Board of Education or the Board of Governors, as applicable, to apply authorized sanctions after formal investigation has established that an employee of a public postsecondary educational institution has participated in disruptive activities; requiring the State Board of Education and the Board of Governors to jointly develop and codify in rule and regulation the term "disruptive activities"; amending ss. 1012.886 and 1012.976, F.S.; requiring the State Board of Education and the Board of Governors, respectively, to report to the Governor and the Legislature each public postsecondary educational institution's compliance with certain provisions by a specified date each year; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

~~Section 1. Paragraph (d) is added to subsection (19) of section 1001.03, Florida Statutes, to read:~~

~~1001.03 Specific powers of State Board of Education.~~

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~~(19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.~~

~~(d) A Florida College System institution that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~2~~1. Section 1001.644, Florida Statutes, is created to read:

1001.644 Florida College System ~~institution~~ governing boards ~~of trustees~~; training.—The State Board of Education shall develop and annually deliver a training program for its members and each Florida College System institution board of trustees which addresses the role and responsibilities of such boards and their executive leadership in overseeing the Florida College System and its institutional resources and in protecting the public interest.

(1) Each member of the State Board of Education, Chancellor of the Florida College System, and each member of a Florida College System institution's board of trustees shall participate in the training program within 1 year after appointment or reappointment. All members of the State Board of Education, institution's board of trustees, and the Chancellor of the Florida College System must complete the same training to provide a comprehensive overview of the Florida College System, including roles and responsibilities of each institution's board of trustees, State Board of Education and Chancellor of the Florida College System.

(2) The training must include information on the responsibilities of the ~~Governor and~~ individual members of the

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State Board of Education, Florida College System institution board of trustees, and Florida College System institution executive leadership relating to all of the following:

(a) Meeting applicable statutory, regulatory, and fiduciary requirements.

(b) Establishing internal controls and accountability mechanisms for the Chancellor of the Florida College System, a Florida College System institution's president, and other administrative officials.

(c) Practicing oversight of a Florida College System institution's planning, construction, maintenance, expansion, and renovation projects.

(d) Establishing policies that promote college affordability, including ensuring that the costs of fees, textbooks, and instructional materials are minimized whenever possible.

(e) Creating and implementing systemwide rules and policies.

(f) Maintaining ethical standards and avoiding conflicts of interest.

(g) Implementing best practices for board governance.

(h) Understanding current national and state issues in higher education and in workforce education.

(i) Incorporating any additional board responsibilities that the State Board of Education finds to be necessary or appropriate.

(j) Providing a comprehensive review of the faculty and executive leadership hiring processes.

(3) The State Board of Education may adopt rules to

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implement this section.

Section ~~32~~. Subsection (5) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(5) Public notice of board meetings and agendas for each meeting must be published prominently on the university's home page of its website and timely published in the Florida Administrative Register. Each university board of trustees shall keep and, within 2 weeks after a board meeting, publish ~~post~~ prominently on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.

Section ~~43~~. Paragraphs (b) and (c) of subsection (2), paragraphs (a) through (h) and (j) of subsection (3), subsection (4), paragraphs (f) and (g) of subsection (5), paragraphs (a) and (c) of subsection (6), and subsections (7), (8), and (11) of section 1001.706, Florida Statutes, are amended, and paragraph (d) is added to subsection (13) of that section, to read:

1001.706 Powers and duties of the Board of Governors.—

(2) REGULATORY AUTHORITY.—

(b) The Board of Governors shall be subject to the provisions of chapter 120 when acting pursuant to statutory authority derived from the Legislature, except that the Board of Governors may adopt regulations if expressly authorized or required by law. Such regulations must be adopted pursuant to a development procedure that complies with paragraph (c). ~~If the Board of Governors delegates a power or duty to a university board of trustees as the designee, the authority to adopt rules~~

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~~or regulations is included in the delegation. If the Board of Governors delegates a statutory power or duty to a university board of trustees, the university board of trustees shall be subject to the provisions of chapter 120 but may adopt regulations to the same extent as the Board of Governors under this subsection.~~

(c) The development procedure for regulations authorized or required by law must provide for notice to the public of, and an opportunity for public comment on, the proposed adoption, amendment, or repeal of a regulation; a process for a substantially affected person to challenge a statement of general applicability that has not been properly adopted as a regulation; a process for a substantially affected person to challenge an unlawful regulation; and a process for the adoption of and challenges to emergency regulations that are necessary to protect the public interest in the emergency. Judicial review shall be sought in the appellate district in which the headquarters of the Board of Governors is located or in which the main campus of the state university is located, as applicable. The regulation development procedure shall be published prominently on the websites of the Board of Governors and the state universities. Public notice of the Board of Governors' and the state universities' proposed adoption, amendment, or repeal of any regulation must be published prominently on the home page of the websites of the Board of Governors and the state universities and timely published in the Florida Administrative Register.

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

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(a) The Board of Governors~~, or the board's designee,~~ shall adopt regulations ~~develop guidelines~~ and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ relating to divisions of sponsored research, pursuant to the provisions of s. 1004.22, to serve the function of administration and promotion of the programs of research.

(c) The Board of Governors shall adopt regulations prescribing ~~prescribe~~ conditions for direct-support organizations and university health services support organizations to be certified and to use university property and services. Conditions relating to certification must provide for audit review and oversight by the Board of Governors.

(d) The Board of Governors shall adopt regulations ~~develop guidelines~~ for supervising faculty practice plans for the academic health science centers.

(e) The Board of Governors shall ensure that students at state universities have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23, and civic literacy courses and assessments, pursuant to s. 1007.25.

(f) The Board of Governors shall do all of the following:

1. Establish criteria for the review and approval of proposed new programs at state universities in accordance with s. 1004.03(1).

2. Approve baccalaureate degree programs that require more than 120 semester credit hours of coursework prior to such

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programs being offered by a state university. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

3. Establish a schedule, conduct program reviews, and consider recommendations resulting from the reviews conducted in accordance with s. 1004.03(3).

(g) The Board of Governors~~, or the board's designee,~~ shall adopt a written antihazing policy, appropriate penalties for violations of such policy, and a program for enforcing such policy.

(h) The Board of Governors shall review and approve each state university's~~, or the board's designee, may establish a~~ uniform code of conduct and ~~appropriate~~ penalties for violations of its regulations by students and student organizations, including regulations governing student academic honesty. Such penalties, unless otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with regulations or payment of fines, and the imposition of probation, suspension, or dismissal.

(j) The Board of Governors shall develop and annually deliver a training program for members of the Board of Governors and each state university board of trustees which ~~that~~ addresses the role and responsibilities of such boards and their executive leadership in governing institutional resources and protecting the public interest. At a minimum, each governor and trustee must participate in the training program within 1 year after ~~of~~ appointment or and reappointment to the Board of Governors or a university board of trustees, respectively. The Chancellor of

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the State University System must also participate in the Board of Governors' training program. All members of the Board of Governors, institution's board of trustees, and the Chancellor of the State University System must complete the same training to provide a comprehensive overview of the State University System, including roles and responsibilities of each institution's board of trustees, Board of Governors and Chancellor of the State University System. The program must include information on governor, trustee, and executive leadership responsibilities relating to all of the following:

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.

2. Establishing internal process controls and accountability mechanisms for the institution’s president and other administrative officers.

3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university’s consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.

4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.

5. Creation and implementation of institutionwide rules and regulations.

6. Institutional ethics and conflicts of interest.

7. Best practices for board governance.

8. Understanding current national and state issues in

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higher education.

9. Any other responsibilities the Board of Governors deems necessary or appropriate.

10. A comprehensive review of faculty and executive leadership hiring processes.

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(a) The Board of Governors~~, or the board's designee,~~ shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the constituent universities to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy requirements, guidelines, formats, and instruction for the development of individual university budget requests.

(c) The Board of Governors~~, or the board's designee,~~ shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26, unless otherwise provided in law. Pursuant to subsection (e) of s. 7, Art. IX of the State Constitution, any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university, if approval by the

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board of trustees is required by general law, and at least twelve affirmative votes of the members of the board of governors, if approval by the board of governors is required by general law, in order to take effect.

(d) The Board of Governors~~, or the board's designee,~~ is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.

(e) The Board of Governors, if authorized by a specific appropriation in the General Appropriations Act, may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund, pursuant to s. 1011.4106(2), between institutions.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(f) If the Board of Governors of the State University System determines that a state university president or board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations. In such cases, the Chancellor of the State University System must immediately notify and regularly apprise the Governor, the President of the Senate, and the Speaker of the House of Representatives of the allegations and the status of the investigation.

(g) The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a), subject to the development procedure for regulations established under paragraph (~~2~~4)(c). If not currently authorized, the Board of Governors may request

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authority from the Legislature to waive or modify specific statutory requirements, including percentages and dollar amount limitations in s. 1009.24, in order to reduce barriers and support the attainment of goals identified in institutional plans, as necessary for advancing system priorities and unique institutional priorities. Regulatory flexibilities authorized and statutory flexibilities authorized or requested by the Board of Governors pursuant to this paragraph must be included in the accountability plan prepared and submitted pursuant to paragraph (c).

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors~~, or the board's designee,~~ shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

(c)1. Except as otherwise provided by law, university employees are public employees for purposes of chapter 112, and any payment for travel and per diem expenses may ~~shall~~ not exceed the level specified in s. 112.061.

2. State university administrative employees are subject to the remuneration requirements of s. 1012.976, as annually confirmed compliant by each university president.

(7) POWERS AND DUTIES RELATING TO PROPERTY.—

(a) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for

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the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority provided ~~the board of trustees~~ in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.

(c) The Board of Governors~~, or the board's designee,~~ shall

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administer a program for the maintenance and construction of facilities pursuant to chapter 1013.

(d) The Board of Governors~~, or the board's designee,~~ shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 are not ~~shall not be~~ subject to s. 287.09451.

(e) Notwithstanding ~~the provisions of~~ s. 253.025 but subject to ~~the provisions of~~ s. 1010.62, the Board of Governors~~, or the board's designee,~~ may, with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.

1. The Board of Governors~~, or the board's designee,~~ may secure appraisals and surveys. The Board of Governors~~, or the board's designee,~~ shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the Board of Governors~~, or the board's designee,~~ finds it necessary for timely property acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. The Board of Governors~~, or the board's designee,~~ may negotiate and enter into an option contract before an appraisal

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is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the Board of Governors~~, or the board's designee,~~ or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the Board of Governors ~~or the board's designee~~.

3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(f) The Board of Governors~~, or the board's designee,~~ shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(g) The Board of Governors~~, or the board's designee,~~ shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(h) Notwithstanding ~~the provisions of~~ s. 216.351, the Board of Governors~~, or the board's designee,~~ may authorize the rent or lease of parking facilities provided that such facilities are funded through parking fees or parking fines imposed by a university. The Board of Governors~~, or the board's designee,~~ may authorize a university board of trustees to charge fees for parking at such rented or leased parking facilities.

(8) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND

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REQUIREMENTS.—The Board of Governors has responsibility for complying with, and overseeing and ensuring the compliance of each state university president and board of trustees with, state and federal laws, rules, regulations, and requirements.

(11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of Governors may revoke or modify the scope of any power or duty it has delegated through regulatory action.

~~(13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—~~

~~(d) A state university that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~5~~4. Section 1001.725, Florida Statutes, is created to read:

1001.725 University boards of trustees; personnel.—

(1) Each university board of trustees is responsible for hiring faculty. The president may provide hiring recommendations to the board; however, the president or the board is not bound by recommendations or opinions of faculty or other individuals or groups. The board may delegate its hiring authority to the president; however, the board shall approve or deny any selection by the president.

(2) Each university board of trustees shall confirm its president's selection and reappointment of the university's executive management team members and their respective contracts and annual salaries, in accordance with the university's personnel program established by the Board of Governors. Contracts and responsibilities of the president and executive team members, including, but not limited to, provost positions, must explicitly delineate that the duties of positions, other

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than the president, are limited to administrative oversight and operational supervision of curricular, instructional, and research affairs, as applicable to the position.

(3) Each university president shall annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of $100,000 or more.

Section 56. Subsection (3) is added to section 1004.03, Florida Statutes, to read:

1004.03 Program approval.—

(3) The State Board of Education and the Board of Governors shall establish, for the Florida College System and the State University System, respectively, a schedule for the regular review and evaluation of nondegree, certificate, nondegree certificate, associate degree, baccalaureate degree, and graduate degree academic programs to determine program adequacy, compliance, and performance. The schedule established must require such review to occur at least once every 3 years.

(a) Reviews conducted pursuant to this section, at a minimum, must determine program alignment and compliance with program subject area and course content, program length, general education requirements, and common prerequisite requirements established by faculty committees pursuant to ss. 1007.24, 1007.25, and 1007.55; confirm authorized and reasonable course and program fees; and affirm satisfactory attainment of student enrollment and student performance outputs and outcomes.

(b) The results of program reviews conducted pursuant to this section must be used to inform the respective system chancellor's recommendation to the Commissioner of Education,

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the State Board of Education, and the Board of Governors, as applicable, regarding program continuation, corrective action, or termination. Each chancellor shall consult with the respective institution presidents regarding the results of the reviews before recommending actions. The chancellor shall solicit the input of the Articulation Coordinating Committee when recommended actions raise multijurisdictional program conflicts, in accordance with ss. 1007.25 and 1007.55.

(c) To the extent possible, the State University System and the Florida College System shall coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration.

Section ~~76~~6. Present subsection (6) of section 1004.04, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(6) STATEWIDE TEACHER PREPARATION PROGRAM AUDIT.—The Commissioner of Education shall conduct an audit of state-approved teacher preparation programs, processes, and systems to determine their performance and identify opportunities for improvement. The audit applies to programs approved pursuant to this section, postsecondary educator preparation institutes approved pursuant to s. 1004.85, and professional development certification and education competency programs approved pursuant to s. 1012.56(8).

(a) The audit must include, but is not limited to:

1. An analysis of the programs to identify their performance in meeting the demands of the state's public

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schools.

2. An analysis of the programs to determine their impact on the production of quality teachers.

3. An analysis of the programs' accountability systems to identify programmatic strengths, weaknesses, and opportunities for improvement.

4. An evaluation of the initial and continued program approval processes, including a review of content and curriculum to ensure compliance with law and state board rules.

(b) The commissioner shall, by December 1, 2022, and by December 1 every 5 years thereafter, submit to the Governor and to the State Board of Education audit findings and recommendations, including, at minimum, recommendations regarding new or improved standards, curriculum, process, and accountability requirements.

Section ~~8~~7. Subsection (7) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not able to meet the textbook and instructional materials posting

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deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions, including certification of compliance from each institution with the public posting requirements of this section, to the State Board of Education and the Board of Governors, as applicable.

Section ~~98~~. Present subsection (8) of section 1007.24, Florida Statutes, is redesignated as subsection (9) and amended, a new subsection (8) is added to that section, and subsections (3), (4), and (5) of that section are amended, to read:

1007.24 Statewide course numbering system.—

(3) The Commissioner of Education shall recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses. The State Board of Education, with input from the Board of Governors, shall approve the general education courses and the levels for the courses.

(4) The statewide course numbering system must be maintained electronically and regularly updated by the department and ~~shall~~ include the courses at the recommended levels, statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

(5) The registration process at each state university and Florida College System institution shall include the courses at their designated levels, ~~and~~ statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

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(8) Participating postsecondary educational institutions receiving transfer course credit shall accept and apply general education courses and credit in accordance with this section, ss. 1007.25 and 1007.55, and other provisions of law, including credit earned through dual enrollment, course equivalencies, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

(9)~~(8)~~ The State Board of Education shall adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty committee reviews and recommendations. At a minimum, the rules must address all of the following:

(a) Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course information.

(b) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, titles, designated levels, credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

(c) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency, civic literacy, or other course types, pursuant to ss. 1007.25

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and 1007.55, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

(d) Purges of courses that are listed in the statewide course numbering system but have not been taught at an institution for the preceding 5 years. These rules must include waiver provisions that allow course continuation if an institution has reasonable cause for having not offered a course within the 5-year limit and an expectation that the course will be offered again within the following 5 years.

Section ~~10~~9. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee for approval by~~and~~ the commissioner ~~for approval~~and the Chancellor of the State University System ~~identify~~ statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by December 1, 2022, and by December 1 every 3 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of s. 1007.55 and this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of

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communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised~~, or the five-course maximum within each subject area may be exceeded,~~ if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area, in accordance with s. 1007.55.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course, consistent with the principles, standards, and content requirements established in s. 1007.55.

(c) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded. Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements, in accordance with s. 1007.55(3).

(d) All public postsecondary educational institutions shall accept these courses as meeting general education core course

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requirements, regardless of whether the receiving institution offers the identical general education core course. The remaining general education course requirements shall be identified by each institution from among the authorized courses listed in the statewide course numbering system and reported to the department by their statewide course number.

(e) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section ~~11~~10. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote democratic values through traditional, historically accurate, and high-quality coursework. Courses with a curriculum based on unproven, theoretical, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

(2) In performing their duties under ss. 1007.24 and 1007.25, the State Board of Education, Board of Governors, Commissioner of Education, Articulation Coordinating Committee, and faculty committees, when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses, shall apply the following principles:

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(a) General education courses must promote the philosophical underpinnings of Western civilization and include studies of this nation's historical documents, such as the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(b) General education courses must ~~may~~ not suppress or distort significant historical events or include a curriculum that teaches identity politics, such as Critical Race Theory, or defines American history as contrary to the creation of a new nation based on universal principles stated in the Declaration of Independence.

(3) Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements.

(a) General education core courses must meet the following standards:

1. Communications courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking, through the engagement with the Western literary tradition.

2. Humanities courses must afford students the ability to think critically through mastering propositional logic and analyzing ethical arguments from classical works on logic, rhetoric, and ethics.

3. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific

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method to explain natural experiences and phenomena.

4. Social science courses must afford students an understanding of the basic principles of government of the American republic and conditions for the success of self-rule, including an understanding of basic behavioral science concepts used in society~~sociology~~.

5. Mathematics courses must afford students a mastery of foundational mathematical and computational models and methods by applying such models and methods in problem solving.

(b) To the greatest extent possible, civic literacy courses established pursuant to s. 1007.25(5) must be available as core courses in each of the general education subject areas.

(4) To be considered for approval as a general education course, a course must be offered by at least half of all public postsecondary educational institutions. All public postsecondary educational institutions must offer all approved general education core courses. If a course is approved as a general education course, that course must be accepted as a general education course, in the same subject area, by all public postsecondary educational institutions.

(5) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course and general education core course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25, at their respective institutions. Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to s. 1008.325.

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Section ~~1211~~. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 1008.32, Florida Statutes, are amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. ~~The commissioner shall consider any response to allegations of noncompliance which the commissioner receives.~~ The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

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(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(b) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule, including, but not limited to, complying with the requirements of s. 1008.325.

Section 12~~3~~. Paragraph (a) of subsection (3) and paragraph (a) of subsection (5) of section 1008.322, Florida Statutes, are amended to read:

1008.322 Board of Governors oversight enforcement authority.—

(3)(a) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. ~~The chancellor shall consider any response to allegations of noncompliance which the chancellor receives.~~ The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

(5) If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:

(a) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation, including, but not limited to, complying with the requirements of s. 1008.325.

Section ~~14~~13. Effective July 1, 2022, section 1008.325, Florida Statutes, is created to read:

1008.325 Public postsecondary educational institution funding eligibility conditioned on compliance with law.—

(1) The Legislature intends that the eligibility of public postsecondary educational institutions to receive discretionary state funding be contingent upon the receiving institution's compliance with applicable state laws, rules, and regulations, as determined by the State Board of Education and the Board of Governors, as applicable.

(2) The State Board of Education shall determine each Florida College System institution's eligibility to receive performance-based funding pursuant to ss. 1001.66 and 1001.67 and as prescribed in the General Appropriations Act, and other performance-based funding distributed by the state board, based on the institution's compliance with applicable state laws and rules.

(3) The Board of Governors shall determine each state university's eligibility to receive performance-based funding pursuant to ss. 1001.7065, 1001.92, and 1011.905, and other performance-based funding distributed by the board, based on the university's compliance with applicable state laws and regulations.

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(4) The Chancellor of the Florida College System and the Chancellor of the State University System shall publicly report to the State Board of Education and the Board of Governors, respectively, each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations.

(5) The State Board of Education and the Board of Governors shall ~~report~~ assure quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to applicable state laws, rules, and regulations. If a public postsecondary educational institution is not in compliance, the State Board of Education or the Board of Governors, as applicable, must seek a remedy to the noncompliance pursuant to s. 1008.32 or s. 1008.322.

(6) If a public postsecondary educational institution fails to comply with applicable state laws, rules, or regulations and is unwilling or unable to remedy its noncompliance, then the State Board of Education and the Board of Governors, respectively, must withhold the institution's performance-based funding until the institution returns to compliance.

(7) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to implement this section.

Section ~~15~~14. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

(3) The State Board of Education shall address within the

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annual evaluation of the performance of the Chancellor of the Florida College System ~~executive director~~, and the Florida College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability process and the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~16~~15. Present subsection (2) of section 1008.46, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of

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teaching, research, and service inherent in the missions of the state universities.

(2) The Board of Governors shall address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees shall address within its annual evaluation of its university president, the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~17~~16. Subsection (7), paragraph (a) of subsection (8), subsection (10), paragraph (a) of subsection (11), paragraph (a) of subsection (12), subsection (15), paragraph (b) of subsection (16), subsection (17), paragraph (a) of subsection (18), and subsection (20) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(7) Each Florida College System institution board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee must ~~shall~~ be collected as a component part of the tuition and fees. The student activity and service fees must ~~shall~~ be paid into a student activity and service fund at the Florida College System institution and must ~~shall~~ be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the Florida College System institution without regard to race, sex, or religion. A ~~No~~ Florida College System institution may not ~~shall~~ be required to

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lower any activity and service fee approved by the board of trustees of the Florida College System institution and in effect prior to October 26, 2007, in order to comply with ~~the provisions of~~ this subsection. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a student activity and service fee established pursuant to this subsection.

(8)(a) Each Florida College System institution board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each Florida College System institution board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than $500,000. If the amount generated is less than $500,000, a Florida College System institution that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between $500,000 and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a financial aid fee established pursuant to this paragraph.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not

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exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee must ~~shall~~ be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this subsection.

(11)(a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed 20 percent of tuition for resident students or 20 percent of the sum of tuition and out-of-state fees for nonresident students. ~~The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ Funds collected by Florida College System institutions through the fee may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, remodeling of educational facilities, or the acquisition and renovation or remodeling of improved real property for use as educational facilities. The fee must ~~shall~~ be collected as a component part of the tuition and fees, paid

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into a separate account, and expended only to acquire improved real property or construct and equip, maintain, improve, or enhance the educational facilities of the Florida College System institution. Projects and acquisitions of improved real property funded through the use of the capital improvement fee must ~~shall~~ meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each Florida College System institution shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this paragraph.

(12)(a) In addition to tuition, out-of-state, financial aid, capital improvement, student activity and service, and technology fees authorized in this section, each Florida College System institution board of trustees is authorized to establish fee schedules for the following user fees and fines: laboratory fees, which do not apply to a distance learning course; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or microfilming fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines may ~~shall~~ not exceed the cost of the services provided and may ~~shall~~ only be charged to persons receiving the service. A Florida College System institution may not charge any fee except as authorized by law. Parking fee revenues may be pledged by a Florida College System institution

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board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, with an overall term of not more than 7 years, including renewals, extensions, and refundings, and revenue bonds with a term not exceeding 20 years and not exceeding the useful life of the asset being financed. Florida College System institutions shall use the services of the Division of Bond Finance of the State Board of Administration to issue any revenue bonds authorized by this subsection. Any such bonds issued by the Division of Bond Finance must ~~shall~~ be in compliance with the provisions of the State Bond Act. Bonds issued pursuant to the State Bond Act may be validated in the manner established in chapter 75. The complaint for such validation must ~~shall~~ be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 must ~~shall~~ be published only in the county where the complaint is filed, and the complaint and order of the circuit court must ~~shall~~ be served only on the state attorney of the circuit in which the action is pending. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a fee established pursuant to this paragraph by more than 3 percent. Beginning with the 2023-2024 academic year, a fee established pursuant to this paragraph may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the Florida College System institution has made every effort, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by a Florida College System institution under this paragraph may not exceed

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the cost of the service provided.

(15) Each Florida College System institution may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of the convenience fee may not exceed the total cost charged by the credit card company to the Florida College System institution. Such service charge or convenience fee must be approved by the Florida College System institution board of trustees. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a service charge established pursuant to this subsection.

(16)

(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a distance learning course user fee established under this subsection by more than 3 percent of the amount assessed the prior year. By each September 1 ~~of each year~~, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended. By November 1 of each year, the Chancellor of the Florida College System shall report the total amount of revenue generated by the distance

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learning course user fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(17) Each Florida College System institution that accepts transient students, pursuant to s. 1006.73, may establish a transient student fee not to exceed $5 per course for processing the transient student admissions application. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a transient student fee established pursuant to this subsection.

(18)(a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed $6 per credit hour. ~~An increase in the transportation access fee may occur only once each fiscal year and must be implemented beginning with the fall term.~~ A referendum must be held by the student government to approve the application of the fee. Beginning July 1, 2022, the Board of Trustees of Santa Fe College may not increase the transportation access fee established pursuant to this paragraph.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the Florida College System institution's home page of its website in an area that is transparent and easily accessible, as applicable. Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its

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consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.

3.~~(c)~~ Be posted on the institution's website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each Florida College System institution shall annually submit a fee schedule to the State Board of Education for its approval by a date established by state board rule. A Florida College System institution must submit for approval by the state board by a date established by state board rule an amended fee schedule when a fee is changed pursuant to paragraph (12)(a).

Section ~~18~~17. Paragraph (d) of subsection (4) and subsections (7) through (17) and (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or in the General Appropriations Act. A ~~No~~ university may not ~~shall~~ be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and

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athletic fees more than 5 percent per year unless specifically authorized in law or in the General Appropriations Act. Beginning July 1, 2022, a university may not increase its athletic fee ~~to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection (12) and may not exceed $2 per credit hour. Notwithstanding ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection which causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university may exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase may not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees may not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee~~

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~~committee pursuant to subsection (10), subsection (11), or subsection (12)~~.

(7) A university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. Beginning July 1, 2022, a university board of trustees may not increase a financial aid fee established pursuant to this subsection. The revenues from fees are to remain at each campus and replace existing financial aid fees. Such funds must ~~shall~~ be disbursed to students as quickly as possible. A minimum of 75 percent of funds from the student financial aid fee must ~~shall~~ be used to provide financial aid based on absolute need. The Board of Governors shall develop criteria for making financial aid awards. Each university shall report annually to the Board of Governors and the Department of Education on the revenue collected pursuant to this subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report must ~~shall~~ include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards ~~which are~~ based on financial need must ~~shall~~ be distributed in accordance with a nationally recognized system of need analysis approved by the Board of Governors. An award for academic merit must ~~shall~~ require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(8)~~(a)~~ The Capital Improvement Trust Fund fee is established as $4.76 per credit hour per semester.

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~~(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee. Any increase in the fee must be recommended by a Capital Improvement Trust Fund committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors shall adopt regulations and timetables to implement the fee.~~

~~(c)~~ The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The ~~fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ The Capital Improvement Trust Fund fee may be used to fund any project or real property acquisition that meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. Beginning July 1, 2022, a university board of trustees may not increase the fee established pursuant to this subsection ~~The Board of Governors shall approve any proposed fee reductions provided~~

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~~that no such reduction reduces the fee below the level established in paragraph (a)~~.

(9) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees. Beginning July 1, 2022, a university board of trustees may not increase a service, health, or athletic fee established pursuant to this subsection. When duly established, the fees must ~~shall~~ be collected as component parts of tuition and fees and must ~~shall~~ be retained by the university and paid into the separate activity and service, health, and athletic funds. Notwithstanding any other ~~provision of~~ law to the contrary, a university may transfer revenues derived from the fees authorized pursuant to this subsection to a university direct-support organization of the university to be used only for the purpose of paying and securing debt on projects approved pursuant to s. 1010.62 and pursuant to a written agreement approved by the Board of Governors. The amount transferred may not exceed the amount authorized for annual debt service pursuant to s. 1010.62.

(10)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase a student activity and service fee established pursuant to this paragraph ~~Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall~~

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~~be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the activity and service fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(b) The student activity and service fees must ~~fees shall~~ be expended for lawful purposes to benefit the student body in general. This includes ~~shall include~~, but is ~~shall~~ not ~~be~~ limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fund shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when submitted by the student government association legislative body. The university president has ~~shall have~~ 15 school days after ~~from~~ the date of presentation of the budget to act on the allocation and expenditure recommendations, which are ~~shall be~~ deemed approved if no action is taken within the 15 school days. If any line

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item or portion thereof within the budget is vetoed, the student government association legislative body must ~~shall~~ within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year must ~~shall~~ be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase ~~Any subsequent increase in~~ the health fee established pursuant to this subsection ~~must be recommended by a health committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the fall~~

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~~term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase an ~~Any subsequent increase in the~~ athletic fee established pursuant to this subsection ~~must be recommended by an athletic fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the athletic fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. Beginning July 1, 2022, a university board of trustees may not increase a technology fee established pursuant to this subsection. The revenue from this fee must ~~shall~~ be used to enhance instructional technology resources for students and

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faculty.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(a) A nonrefundable application fee in an amount not to exceed $30.

(b) An orientation fee in an amount not to exceed $35.

(c) A fee for security, access, or identification cards. The annual fee for such a card may not exceed $10 per card. The maximum amount charged for a replacement card may not exceed $15.

(d) Registration fees for audit and zero-hours registration; a service charge, which may not exceed $15, for the payment of tuition and fees in installments; and a late-registration fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to initiate registration during the regular registration period.

(e) A late-payment fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to pay or fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) tuition by the deadline set by each university. Each university may adopt specific procedures or policies for waiving the late-payment fee for minor underpayments.

(f) Fees for transcripts and diploma replacement, not to exceed $10 per item.

(g) A nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed $200. The admissions deposit shall be imposed at the time

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of an applicant's acceptance to the university and shall be applied toward tuition upon enrollment. If the applicant does not enroll in the university, the admissions deposit must ~~shall~~ be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. The Board of Governors shall adopt a policy that provides for the waiver of such admissions deposit on the basis of financial hardship.

(h) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under subsection (11).

(i) Materials and supplies fees to offset the cost of materials or supplies that are consumed in the course of the student's instructional activities, excluding the cost of equipment replacement, repairs, and maintenance.

(j) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student.

(k) A charge representing the reasonable cost of efforts to collect payment of overdue accounts.

(l) A service charge on university loans in lieu of interest and administrative handling charges.

(m) A fee for off-campus course offerings when the location results in specific, identifiable increased costs to the university.

(n) Library fees and fines, including charges for damaged and lost library materials, overdue reserve library books, interlibrary loans, and literature searches.

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(o) Fees relating to duplicating, photocopying, binding, and microfilming; copyright services; and standardized testing. These fees may be charged only to those who receive the services.

(p) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.

(q) A returned-check fee as authorized by s. 832.07(1) for unpaid checks returned to the university.

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of this chapter, as specifically authorized by law or the General Appropriations Act.

(s) An Educational Research Center for Child Development fee for child care and services offered by the center.

(t) A transient student fee that may not exceed $5 per course for accepting a transient student and processing the transient student admissions application pursuant to s. 1006.73.

Beginning July 1, 2023, a university board of trustees may not increase any fee established pursuant to this subsection by more than 3 percent. Beginning with the 2023-2024 academic year, a fee may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by an institution under this subsection may not exceed the cost of the

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service provided ~~With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services~~. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(15)(a) The Board of Governors may approve~~:~~

~~1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.~~

~~2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).~~

~~3.~~ a proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university's continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses must ~~shall~~ be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must ~~shall~~ be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

(b) A proposal developed pursuant to paragraph (a) must

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~~shall~~ be submitted in accordance with guidelines established by the Board of Governors. Approval by the Board of Governors of such proposal must be made in accordance with ~~the provisions of~~ this subsection.

(c) ~~In reviewing a proposal to establish a new fee under subparagraph (a)1., the Board of Governors shall consider:~~

~~1. The purpose to be served or accomplished by the new fee.~~

~~2. Whether there is a demonstrable student-based need for the new fee that is not currently being met through existing university services, operations, or another fee.~~

~~3. Whether the financial impact on students is warranted in light of other charges assessed to students for tuition and associated fees.~~

~~4. Whether any restrictions, limitations, or conditions should be placed on the use of the fee.~~

~~5. Whether there are outcome measures to indicate if the purpose for which the fee was established is accomplished.~~

~~(d) In reviewing a proposal to increase or exceed the current cap for an existing fee under subparagraph (a)2., the Board of Governors shall consider:~~

~~1. The services or operations currently being funded by the fee.~~

~~2. Whether those services or operations can be performed more efficiently to alleviate the need for any increase.~~

~~3. The additional or enhanced services or operations to be funded by the increase.~~

~~4. Whether any alternative resources are available to meet the need.~~

~~5. Whether the financial impact on students is warranted in~~

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~~light of other charges assessed to students for tuition and associated fees.~~

(c) ~~(e)~~ In reviewing a proposal to implement a flexible tuition policy under paragraph (a) ~~subparagraph (a)3.~~, the Board of Governors shall consider:

1. Whether the proposed tuition flexibility policy is aligned with the mission of the university.

2. Whether the proposed tuition flexibility policy increases the state's fiscal liabilities or obligations and, if so, the proposal must ~~shall~~ be denied.

3. Whether any restrictions, limitations, or conditions should be placed on the policy.

4. How the proposed tuition flexibility policy will be implemented to honor the advance payment contracts of students who are beneficiaries of prepaid tuition contracts under s. 1009.98.

(d) ~~(f)~~ The Board of Governors shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, and the Governor summarizing the proposals received by the board during the preceding year and actions taken by the board in response to such proposals. ~~The Board of Governors shall also include in the annual report the following information for each fee established pursuant to subparagraph (a)1.:~~

~~1. The amount of the fee.~~

~~2. The total revenues generated by the fee.~~

~~3. Detailed expenditures of the revenues generated by the fee.~~

~~(g) The aggregate sum of any fees established pursuant to~~

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~~subparagraph (a)1. that a student is required to pay to register for a course shall not exceed 10 percent of tuition.~~

~~(h) Any fee established pursuant to subparagraph (a)1. shall not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.~~

~~(i) The revenues generated by a fee established pursuant to subparagraph (a)1. may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used for the purpose of paying or securing debt.~~

~~(j) If the Board of Governors approves a university proposal to establish a fee pursuant to subparagraph (a)1., a fee committee shall be established at the university to make recommendations to the university president and the university board of trustees regarding how the revenue from the fee is to be spent and any subsequent changes to the fee. At least one-half of the committee must be students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie.~~

~~(k) An increase to an existing fee or a fee established pursuant to subparagraph (a)1. may occur no more than once each fiscal year and must be implemented beginning with the fall term.~~

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment

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of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential must ~~shall~~ promote improvements in the quality of undergraduate education and must ~~shall~~ provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential must ~~shall~~ be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. Except as otherwise provided in this subsection, the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, must ~~shall~~ be expended to provide financial aid to undergraduate students who exhibit financial need, including students who are scholarship recipients under s. 1009.984, to meet the cost of university attendance. This expenditure for need-based financial aid may ~~shall~~ not supplant the amount of need-based aid provided to undergraduate students in the preceding fiscal year from financial aid fee revenues, the direct appropriation for

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financial assistance provided to state universities in the General Appropriations Act, or from private sources. The total amount of tuition differential waived under subparagraph (b)6. ~~(b)7.~~ may be included in calculating the expenditures for need-based financial aid to undergraduate students required by this subsection. If the entire tuition and fee costs of resident students who have applied for and received Pell Grant funds have been met and the university has excess funds remaining from the 30 percent of the revenues from the tuition differential required to be used to assist students who exhibit financial need, the university may expend the excess portion in the same manner as required for the other 70 percent of the tuition differential revenues.

(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, by campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. ~~For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the~~

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~~preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:~~

~~a. An increase in the 4-year graduation rate for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System.~~

~~b. An increase in the total annual research expenditures.~~

~~c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.~~

~~4.~~ The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.

4.~~5.~~ Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

5.~~6.~~ The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

6.~~7.~~ The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida Public Student Assistance Grant Program established in s. 1009.50.

7.~~8.~~ Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may

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take effect with the 2009 fall term.

(c) A university board of trustees may submit a proposal to the Board of Governors to implement a tuition differential for one or more undergraduate courses. At a minimum, the proposal must ~~shall~~:

1. Identify the course or courses for which the tuition differential will be assessed.

2. Indicate the amount that will be assessed for each tuition differential proposed.

3. Indicate the purpose of the tuition differential.

4. Indicate how the revenues from the tuition differential will be used.

5. Indicate how the university will monitor the success of the tuition differential in achieving the purpose for which the tuition differential is being assessed.

(d) The Board of Governors shall review each proposal and advise the university board of trustees of approval of the proposal, the need for additional information or revision to the proposal, or denial of the proposal. The Board of Governors shall establish a process for any university to revise a proposal or appeal a decision of the board.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of ~~the provisions of~~ this subsection no later than February 1 of each year. The report must ~~shall~~ summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report must ~~shall~~ provide the following information for each university

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~~that has been~~ approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.

2. The total revenues generated by the tuition differential.

3. With respect to waivers authorized under subparagraph (b)6. ~~(b)7.~~, the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.

4. Detailed expenditures of the revenues generated by the tuition differential.

5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty, student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

(f) No state university shall be required to lower any tuition differential that was approved by the Board of Governors and in effect prior to January 1, 2009, in order to comply with ~~the provisions of~~ this subsection.

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.73, a per-credit-hour distance learning course fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of

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technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs. Beginning July 1, 2023, a university board of trustees may not increase the distance learning course fee authorized under this subsection by more than 3 percent of the amount assessed the prior year; however, the total collected by an institution from such fee may not exceed the cost of the service provided by that institution. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost.

1. By September 1 of each year, each board of trustees shall report to the Chancellor of the State University System the total amount of revenue generated for the prior fiscal year by the fee authorized by this subsection and how that revenue was expended.

2. By November 1 of each year, the Chancellor of the State University System shall report the total amount of revenue generated by the distance learning course fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) If an institution assesses the distance learning fee,

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the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the university's home page on its website in a location that is transparent and easily accessable. Each state university shall publicly notice and notify all enrolled students of any proposal to change tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed change, and how the funds from the proposed change will be used.

3.~~(c)~~ Be published ~~posted~~ on the university's home page on its website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each university shall annually submit a fee schedule to the Board of Governors for approval by the board by a date established by board regulation. When a fee is changed pursuant to paragraph (17)(b), a university must submit an amended fee schedule for approval by the board by a date established by board regulation.

Section ~~19~~18. Subsections (1) and (3) of section 1011.81, Florida Statutes, are amended to read:

1011.81 Florida College System Program Fund.—

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FL-GOV-22-0226, 20-0378-A-000595

(1)(a) There is established a Florida College System Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the Florida College System institution districts of the state on the basis of procedures established by law and rules of the State Board of Education. The annual apportionment for each Florida College System institution district shall be distributed monthly in payments as nearly equal as possible.

(b) The State Board of Education shall collaborate with the Board of Governors to create a template, which must include fiscal definitions and all sources of revenue, for use by each Florida College System institution in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the institution, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.70(1), during the prior year. Each Florida College System institution shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the State Board of Education's website.

(3) None of the funds made available in the Florida College System Program Fund, or funds made available to Florida College System institutions outside the Florida College System Program Fund, may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to, or involving, any of the following:

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FL-GOV-22-0226, 20-0378-A-000596

(a) Travel to a terrorist state. For purposes of this paragraph, the term ~~section,~~ "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.32 and State Board of Education rule.

Section ~~20~~19. Subsections (4) and (6) of section 1011.90, Florida Statutes, are amended to read:

1011.90 State university funding.—

(4)(a) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request. Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the

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standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

(b) The Board of Governors shall collaborate with the State Board of Education in creating a template, which must include fiscal definitions and all sources of revenue, for use by each state university in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the state university, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.28(1), during the prior year. Each state university shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the Board of Governors' website.

(6) None of the state or nonstate funds made available to state universities may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of,

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activities related to or involving any of the following:

(a) Travel to a terrorist state. For purposes of this section, the term "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.322 and Board of Governors regulation.

Section ~~21~~20. Subsection (1) of section 1011.91, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1011.91 Additional appropriation.—

(1) Except as otherwise provided in the General Appropriations Act, all moneys received by universities, from student fees authorized in s. 1009.24, from federal sources, from private sources, and from vending machine collections, are hereby appropriated to the use of the respective universities collecting same, to be expended as the university board of trustees may approve ~~direct~~; however, the funds may ~~shall~~ not be expended except in pursuance of detailed budgets approved by ~~filed with~~ the Board of Governors and may ~~shall~~ not be expended for the construction or reconstruction of buildings except as provided under s. 1013.74.

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FL-GOV-22-0226, 20-0378-A-000599

(4) The Chancellor of the State University System may monitor and periodically review university expenditures in accordance with detailed university budgets approved pursuant to this section.

Section ~~22~~21. Section 1012.80, Florida Statutes, is amended to read:

1012.80 Participation by employees in disruptive activities at public postsecondary educational institutions; penalties.—

(1)(a) Any person who accepts the privilege extended by the laws of this state of employment at any Florida College System institution shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the State Board of Education, and the laws of this state. Such policies must be adopted in accordance with State Board of Education rule and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at Florida College System institutions.

(b) Any person who accepts the privilege extended by the laws of this state of employment at any state university shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the Board of Governors, and the laws of this state. Such policies must be adopted in accordance with Board of Governors regulation and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at state universities.

(2) If, after formal investigation conducted in accordance with s. 1008.32, s. 1008.322, or an applicable rule or

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regulation, it has been determined that an employee of a public postsecondary educational institution has participated in disruptive activities, the State Board of Education or the Board of Governors, as applicable, may enforce applicable personnel laws, rules, or regulations by applying authorized sanctions. The institution may, among other options, terminate the contract of the employee, and thereafter such person may ~~shall~~ not be employed by any state public school or public postsecondary educational institution.

(3) For purposes of this section, the meaning of the term "disruptive activities" shall be jointly developed and codified in rule and regulation by the State Board of Education and the Board of Governors, respectively.

Section ~~23~~22. Present subsection (3) of section 1012.886, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

(3) REPORT.—By August 1 of each year, the State Board of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each Florida College System institution's compliance with this section.

Section ~~24~~23. Present subsection (3) of section 1012.976, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.976 Remuneration of state university employees; limitations.—

(3) REPORT.—By August 1 of each year, the Board of

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Governors shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each state university's compliance with this section.

Section ~~25~~24. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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FL-GOV-22-0226, 20-0378-A-000602

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: Reorg drafts
Date: Wednesday, December 15, 2021 1:30:34 PM
Attachments: 5-01409-22 Cabinet Reform FDLE, DEP, VA.docx
5-01416-22 Cabinet Reform DHSMV.docx

The other draft (Draft #01420) on this issue is still being drafted. Will forward when it is ready.

Note from drafter on draft 01416
Drafted as requested; however, **please note that the change from executive director to secretary for DHSMV needed conforming changes that were brought into this draft**. If you have any questions please do not hesitate to reach out to me. If you require any changes please let me know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01409-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor <u>subject to a majority vote of the Governor and Cabinet, with the Governor and the Attorney General on the prevailing side. The appointment is</u> ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director <u>serves</u> ~~shall serve~~ at the pleasure of the

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~,~~ ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall serve~~ at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect July 1, 2022.

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5-01416-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; providing that the head of the Department of Highway Safety and Motor Vehicles is the secretary, who is appointed by the Governor and confirmed by the Senate and who serves at the pleasure of the Governor; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; amending ss. 206.27, 207.021, 282.709, 316.545, 320.275, 322.125, 397.333, 943.0313, 943.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The

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FL_GOV_22-0226_20-0378A-000606

head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor. The appointment is subject to confirmation by the Senate. The secretary serves at the pleasure of the Governor ~~and Cabinet~~.

Section 3. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~,~~ ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall~~

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~~serve~~ at the pleasure of the Governor.

Section 4. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 5. Subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~nothing herein shall be construed as requiring~~ the department to provide as a public record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that such ~~the foregoing~~ information is ~~shall be~~ exempt from ~~the provisions of~~ s. 119.07(1) and is ~~shall be~~ considered confidential pursuant to s. 213.053; however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information

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concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, ~~shall~~ apply if the department makes such information available. An ~~any~~ officer, an employee, or a former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 6. Paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

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Section 7. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who

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shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 8. Subsection (7) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road

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construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of this ~~the~~ state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-year term. A vacancy occurring during the term of a member appointed under this paragraph must ~~shall~~ be filled only for the remainder of the unexpired term. Members of the board appointed under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within this ~~the~~ state. As an

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alternative to physical appearance, the Department of Transportation shall allow a person requesting a hearing to appear remotely before the board via communications media technology as authorized by chapter 28-109, Florida Administrative Code, regardless of the physical location of the board proceeding.

Section 9. Paragraph (a) of subsection (2) of section 320.275, Florida Statutes, is amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the

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Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

Section 10. Subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. All ~~every member~~ but two of the members must be doctors ~~a doctor~~ of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 11. Paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

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397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 12. Paragraph (b) of subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s. 20.03(7) to provide guidance to the state's regional domestic

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security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 13. Subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated

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assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; 1 public defender appointed by the Florida Public Defender Association, Inc.; 1 state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and 5 members, to be appointed by the Governor, consisting of 2 sheriffs, 2 police chiefs, and 1 clerk of the circuit court.

Section 14. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-000617

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: Reorg drafts
Date: Wednesday, December 15, 2021 1:30:34 PM
Attachments: 5-01409-22 Cabinet Reform FDLE, DEP, VA.docx
5-01416-22 Cabinet Reform DHSMV.docx

The other draft (Draft #01420) on this issue is still being drafted. Will forward when it is ready.

Note from drafter on draft 01416
Drafted as requested; however, **please note that the change from executive director to secretary for DHSMV needed conforming changes that were brought into this draft**. If you have any questions please do not hesitate to reach out to me. If you require any changes please let me know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01409-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor <u>subject to a majority vote of the Governor and Cabinet, with the Governor and the Attorney General on the prevailing side. The appointment is</u> ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director <u>serves</u> ~~shall serve~~ at the pleasure of the

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Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~, with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall serve~~ at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

5-01416-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; providing that the head of the Department of Highway Safety and Motor Vehicles is the secretary, who is appointed by the Governor and confirmed by the Senate and who serves at the pleasure of the Governor; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; amending ss. 206.27, 207.021, 282.709, 316.545, 320.275, 322.125, 397.333, 943.0313, 943.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The

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head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor. The appointment is subject to confirmation by the Senate. The secretary serves at the pleasure of the Governor ~~and Cabinet~~.

Section 3. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~,~~ ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall~~

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~~serve~~ at the pleasure of the Governor.

Section 4. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 5. Subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~nothing herein shall be construed as requiring~~ the department to provide as a public record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that such ~~the foregoing~~ information is ~~shall be~~ exempt from ~~the provisions of~~ s. 119.07(1) and is ~~shall be~~ considered confidential pursuant to s. 213.053; however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information

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concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, ~~shall~~ apply if the department makes such information available. An ~~any~~ officer, an employee, or a former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 6. Paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

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Section 7. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who

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shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 8. Subsection (7) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road

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construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of this ~~the~~ state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-year term. A vacancy occurring during the term of a member appointed under this paragraph must ~~shall~~ be filled only for the remainder of the unexpired term. Members of the board appointed under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within this ~~the~~ state. As an

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alternative to physical appearance, the Department of Transportation shall allow a person requesting a hearing to appear remotely before the board via communications media technology as authorized by chapter 28-109, Florida Administrative Code, regardless of the physical location of the board proceeding.

Section 9. Paragraph (a) of subsection (2) of section 320.275, Florida Statutes, is amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the

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Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

Section 10. Subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. All ~~every member~~ but two of the members must be doctors ~~a doctor~~ of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 11. Paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

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397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 12. Paragraph (b) of subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s. 20.03(7) to provide guidance to the state's regional domestic

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security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 13. Subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated

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assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; 1 public defender appointed by the Florida Public Defender Association, Inc.; 1 state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and 5 members, to be appointed by the Governor, consisting of 2 sheriffs, 2 police chiefs, and 1 clerk of the circuit court.

Section 14. This act shall take effect July 1, 2022.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: Reorg drafts
Date: Wednesday, December 15, 2021 1:30:34 PM
Attachments: 5-01409-22 Cabinet Reform FDLE, DEP, VA.docx
5-01416-22 Cabinet Reform DHSMV.docx

The other draft (Draft #01420) on this issue is still being drafted. Will forward when it is ready.

Note from drafter on draft 01416
Drafted as requested; however, **please note that the change from executive director to secretary for DHSMV needed conforming changes that were brought into this draft**. If you have any questions please do not hesitate to reach out to me. If you require any changes please let me know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01409-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor <u>subject to a majority vote of the Governor and Cabinet, with the Governor and the Attorney General on the prevailing side. The appointment is</u> ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director <u>serves</u> ~~shall serve~~ at the pleasure of the

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~, with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall serve~~ at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect July 1, 2022.

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5-01416-22

A bill to be entitled

An act relating to executive appointments; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; providing that the head of the Department of Highway Safety and Motor Vehicles is the secretary, who is appointed by the Governor and confirmed by the Senate and who serves at the pleasure of the Governor; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side; amending ss. 206.27, 207.021, 282.709, 316.545, 320.275, 322.125, 397.333, 943.0313, 943.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The

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FL-GOV-22-0226_20-0378A-000636

head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor. The appointment is subject to confirmation by the Senate. The secretary serves at the pleasure of the Governor ~~and Cabinet~~.

Section 3. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~,~~ ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall~~

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~~serve~~ at the pleasure of the Governor.

Section 4. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 5. Subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~nothing herein shall be construed as requiring~~ the department to provide as a public record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that such ~~the foregoing~~ information is ~~shall be~~ exempt from ~~the provisions of~~ s. 119.07(1) and is ~~shall be~~ considered confidential pursuant to s. 213.053; however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information

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concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, ~~shall~~ apply if the department makes such information available. An ~~any~~ officer, an employee, or a former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 6. Paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

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Section 7. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who

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shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 8. Subsection (7) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road

AMERICAN OVERSIGHT

construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of this ~~the~~ state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-year term. A vacancy occurring during the term of a member appointed under this paragraph must ~~shall~~ be filled only for the remainder of the unexpired term. Members of the board appointed under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within this ~~the~~ state. As an

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FL GOV 22-0226, 20-0378A-000642

alternative to physical appearance, the Department of Transportation shall allow a person requesting a hearing to appear remotely before the board via communications media technology as authorized by chapter 28-109, Florida Administrative Code, regardless of the physical location of the board proceeding.

Section 9. Paragraph (a) of subsection (2) of section 320.275, Florida Statutes, is amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the

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Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

Section 10. Subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. All ~~every member~~ but two of the members must be doctors ~~a doctor~~ of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 11. Paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

AMERICAN OVERSIGHT

397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 12. Paragraph (b) of subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s. 20.03(7) to provide guidance to the state's regional domestic

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security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 13. Subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated

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FL_GOV_22-0226_20-0378A-000646

assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; 1 public defender appointed by the Florida Public Defender Association, Inc.; 1 state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and 5 members, to be appointed by the Governor, consisting of 2 sheriffs, 2 police chiefs, and 1 clerk of the circuit court.

Section 14. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000647

From:	Gilley, Janice
To:	Kopelousos, Stephanie; Spencer, Chris
Subject:	Support for Northwest Florida Estuary Water Quality Protection and Restoration Project
Date:	Monday, April 4, 2022 9:32:50 AM
Attachments:	image001.png Northwest Florida County Support for Estuary Restoration Research Funding.pdf
Importance:	High

Please see attached support from Northwest Florida counties for the Estuary Protection and Restoration Project in line 145 of the Budget. This is an extremely important project for Senator Broxson as the future of Water Quality and the opportunity for Federal RESTORE funds from Pot 2 of the Oil spill funding will need validated research data for our region to continue to qualify.

The Governor's support is greatly appreciated.

Best,

Janice Gilley | District 1 Chief Legislative Assistant

Senator Doug Broxson | Florida Senate 1st District

418 West Garden Street, Room 403 | Pensacola, FL 32502 | p. (850) 595.1036 | c. (850) 776.1451

418-SOB | 404 South Monroe Street | Tallahassee FL 32399-1100 | p. (850) 487.5001

gilley.janice@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN OVERSIGHT

PENSACOLA
& PERDIDO BAYS
ESTUARY PROGRAM

March 11, 2022

The Honorable Ron DeSantis
Governor, State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399

Dear Governor DeSantis,

On behalf of the Pensacola and Perdido Bays Estuary Program, thank you for your continuous investment in the restoration and preservation of Florida's critically important water resources. These historic investments will truly leave a lasting legacy and will greatly enhance the resiliency of the state of Florida from flooding and sea level rise.

As you continue to deliver on your bold initiative to protect Florida's environment, I want to call attention to Specific Appropriation 145, Northwest Florida Estuary Water Quality Protection and Restoration (Senate Form 2645), within the 2022-2023 State Budget submitted to you by the Florida Legislature. The $3 million appropriation to the University of Florida will enable each of the three Northwest Florida Estuary Programs (Pensacola and Perdido Bays Estuary Program, Choctawhatchee Bay Estuary Program, and St. Andrew and St. Joe Bays Estuary Program) to work alongside the University of Florida Center for Coastal Solutions to provide data-driven guidance on restoration project investment opportunities.

Through these resources, UF's CCS will aid the Pensacola and Perdido Bays Estuary Program and our partner agencies in the development of proposals that deliver on critically important actions identified in the Program's Comprehensive Conservation and Management Plan. Through the Estuary Program, local governments across Northwest Florida and South Alabama are working together like never before to restore and protect what matters most.

The Pensacola and Perdido Bays Estuary Program Policy Board, and I as their Executive Director, support this initiative and appreciate your consideration in preserving this funding for the benefit of Northwest Florida.

Sincerely,

Matthew J. Posner Digitally signed by Matthew J. Posner
Date: 2022.03.11 12:36:49 -06'00'

Matt J. Posner
Executive Director
Pensacola and Perdido Bays Estuary Program

226 South Palafox Place, Pensacola, FL 32502 www.ppbep.org mjposner@ppbep.org

AMERICAN OVERSIGHT

BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA
COUNTY ADMINISTRATOR'S OFFICE
Michael L. Hammond • County Administrator

1000 Cecil G. Costin, Sr. Blvd. • Room 302 • Port St. Joe, Florida • 32456
850.229.6106 • Fax: 850.564.7503 • mhammond@gulfcounty-fl.gov
DATE & TIME OF MEETINGS: Fourth Tuesdays at 9:00 a.m., E.T.

To Whom it May Concern:

On behalf of Gulf County Board of County Commissioners, I am reaching out to express support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645). This project will provide Gulf County the ability to leverage existing data in order to secure much needed RESTORE Act funding for our community.

In response to the Deepwater Horizon oil spill, the U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act), thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to receive funding pursuant to this program. RESTORE Act funding streams provide the opportunity to secure regional water quality improvements and sustain healthy waters on a generational scale. Since the Trust Fund's establishment in 2017, however, Florida Panhandle coastal counties have received significantly less funding than other states.

The Center for Coastal Solutions (CCS), which is based out of the University of Florida's (UF) Herbert Wertheim College of Engineering, leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health.

The CCS team will use a water quality monitoring network to fill the Panhandle region's gaps in expertise and resources to achieve needed environmental and economic insights and provide data-driven guidance on restoration project investment opportunities. Local counties and other regional partners will be able to leverage the water quality and economic analytics capabilities of the UF CCS team and the monitoring network to prepare regionally impactful, coordinated project proposals.

UF CCS will collaborate and coordinate with Gulf County and other local government partners in developing grant proposal content and submittal with DEP's Deep Water Horizon program and potential grantees to develop large scale proposals with a higher likelihood of funding approval.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

County Administrator
Michael L. Hammond

AMERICAN OVERSIGHT

To Whom it May Concern –

My name is Colten Wright, Commissioner, from Santa Rosa County. I represent a coastal peninsula community that is impacted, more than most, by water quality. I am reaching out to express support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645) which will make Panhandle communities more competitive for federal RESTORE ACT oil spill recovery funds.

The U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) in response to the Deepwater Horizon oil spill, thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to compete for funding through this program for regional water quality and ecosystem improvements on a generational scale. Unfortunately, Florida Panhandle coastal counties have received significantly less funding than peer communities across the Gulf Coast. The Northwest Florida Estuary Water Quality Protection and Restoration Project is a collaborative effort among Florida's Panhandle counties to utilize advanced data and analytics tools to better compete for a fair share of these funds.

Panhandle counties will partner with the University of Florida's Center for Coastal Solutions (CCS), which is based out of the Herbert Wertheim College of Engineering. CCS leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health. In this partnership with Panhandle counties, CCS will use its existing monitoring tools and technical expertise to provide data-driven support for communities seeking RESTORE funds. Applicants will be able to leverage the water quality and economic analytics capabilities of the UF CCS team to prepare regionally-impactful, coordinated project proposals with a higher likelihood of funding approval.

The Northwest Florida Estuary Water Quality Protection and Restoration Project will generate a substantial ROI for Panhandle communities and the state as a whole. Florida can and should be awarded a much higher share of RESTORE funding and the utilization of CCS tools and expertise supported by this request will greatly strengthen our competitive advantage.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

Colten Wright
Santa Rosa County Commissioner, District 5

SANTA ROSA COUNTY FLORIDA
IN GOD WE TRUST

6495 Caroline Street, Suite M | Milton, Florida 32570 P: 850.983.1877 | F: 850.983.1856

AMERICAN OVERSIGHT

CHOCTAWHATCHEE BAY Estuary Program

March 15, 2022

To Whom it May Concern –

My name is Brian L. Underwood, Executive Director from the Choctawhatchee Bay Estuary Program. On behalf of the Choctawhatchee Bay Estuary Program, I am reaching out to express support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645) which will make Panhandle communities more competitive for federal RESTORE ACT oil spill recovery funds.

The U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) in response to the Deepwater Horizon oil spill, thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to compete for funding through this program for regional water quality and ecosystem improvements on a generational scale. Unfortunately, Florida Panhandle coastal counties have received significantly less funding than peer communities across the Gulf Coast. The Northwest Florida Estuary Water Quality Protection and Restoration Project is a collaborative effort among Florida's Panhandle counties to utilize advanced data and analytics tools to better compete for a fair share of these funds.

Panhandle counties will partner with the University of Florida's Center for Coastal Solutions (CCS), which is based out of the Herbert Wertheim College of Engineering. CCS leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health. In this partnership with Panhandle counties, CCS will use its existing monitoring tools and technical expertise to provide data-driven support for communities seeking RESTORE funds. Applicants will be able to leverage the water quality and economic analytics capabilities of the UF CCS team to prepare regionally-impactful, coordinated project proposals with a higher likelihood of funding approval.

The Northwest Florida Estuary Water Quality Protection and Restoration Project will generate a substantial ROI for Panhandle communities and the state as a whole. Florida can and should be awarded a much higher share of RESTORE funding and the utilization of CCS tools and expertise supported by this request will greatly strengthen our competitive advantage.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

Brian Underwood

Digitally signed by Brian Underwood
Date: 2022.03.15 14:35:44 -05'00'

Brian L. Underwood, AICP, CFM
Executive Director
Choctawhatchee Bay Estuary Program

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FRANKLIN COUNTY

REPLY TO: □
BOARD OF COUNTY COMMISSIONERS
33 MARKET STREET, SUITE 203
APALACHICOLA, FL 32320
(850) 653-8861, EXT. 100
(850) 653-4795 FAX

REPLY TO: X
PLANNING & BUILDING DEPARTMENT
34 FORBES STREET, SUITE 1
APALACHICOLA, FL 32320
(850) 653-9783
(850) 653-9799 FAX

March 16, 2022

To Whom It May Concern:

As Chairman of the Board of the Franklin County Board of County Commissioners, I am writing this letter of support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR# 2645) which will make Panhandle communities more competitive for federal RESTORE Act oil spill recovery funds.

The U.S. Congress enacted the RESTORE Act in response to the Deepwater Horizon oil spill, thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to compete for funding through this program for regional water quality and ecosystem improvements on a generational scale. Unfortunately, Florida Panhandle coastal counties have received significantly less funding than peer communities across the Gulf Coast. The Northwest Florida Estuary Water Quality Protection and Restoration Project is a collaborative effort among Florida's Panhandle counties to utilize advanced data and analytics tools to better compete for a fair share of these funds.

Panhandle counties will partner with the University of Florida's Center for Coastal Solutions (CCS), which is based out of the Herbert Wertheim College of Engineering. CCS leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health. In this partnership with Panhandle counties, CCS will use its existing monitoring tools and technical expertise to provide data-driven support for communities seeking RESTORE funds. Applicants will be able to leverage the water quality and economic analytics capabilities of the UF CCS team to prepare regionally-impactful, coordinated project proposals with a higher likelihood of funding approval.

The Northwest Florida Estuary Water Quality Protection and Restoration Project will generate a substantial ROI for Panhandle communities and the state as a whole. Florida can and should be awarded a much higher share of RESTORE funding, and utilization of CCS tools and expertise supported by this request will greatly strengthen our competitive advantage.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR #2645.)

Sincerely,

Ricky D. Jones

Ricky Jones, Chairman
Franklin County Board of County Commissioners

RICKY D. JONES DISTRICT ONE | BERT BOLDT DISTRICT TWO | NOAH LOCKLEY, JR. DISTRICT THREE | JOSEPH PARRISH DISTRICT FOUR | JESSICA WARD DISTRICT FIVE

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FL-GOV-22-0226, 20-0378-A-000654

To Whom it May Concern –

15 March 2022

My name is David C. Piech, Santa Rosa County Commissioner for District 4, from Navarre in Santa Rosa County Florida. On behalf of Santa Rosa County, I am reaching out to express support for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645) which will make Panhandle communities more competitive for federal RESTORE ACT oil spill recovery funds.

The U.S. Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) in response to the Deepwater Horizon oil spill, thereby establishing the Gulf Coast Restoration Trust Fund. Florida is among the five states eligible to compete for funding through this program for regional water quality and ecosystem improvements on a generational scale. Unfortunately, Florida Panhandle coastal counties have received significantly less funding than peer communities across the Gulf Coast. The Northwest Florida Estuary Water Quality Protection and Restoration Project is a collaborative effort among Florida's Panhandle counties to utilize advanced data and analytics tools to better compete for a fair share of these funds.

Panhandle counties will partner with the University of Florida's Center for Coastal Solutions (CCS), which is based out of the Herbert Wertheim College of Engineering. CCS leverages data scientists, biologists, economists, environmental engineers, and strategic university and research partners to expand the foundational understanding of Florida's environment, economy, and public health. In this partnership with Panhandle counties, CCS will use its existing monitoring tools and technical expertise to provide data-driven support for communities seeking RESTORE funds. Applicants will be able to leverage the water quality and economic analytics capabilities of the UF CCS team to prepare regionally-impactful, coordinated project proposals with a higher likelihood of funding approval.

The Northwest Florida Estuary Water Quality Protection and Restoration Project will generate a substantial ROI for Panhandle communities and the state as a whole. Florida can and should be awarded a much higher share of RESTORE funding and the utilization of CCS tools and expertise supported by this request will greatly strengthen our competitive advantage.

Please support the $3,000,000 for the Northwest Florida Estuary Water Quality Protection and Restoration Project (Senate Form LFIR # 2645).

Sincerely,

DAVID C. PIECH

Santa Rosa County Commissioner, District 4

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: Town of Micanopy text I sent you
Date: Monday, December 13, 2021 2:13:15 PM

Contacted us about a requested proclamation from the Governor's office …
Sara Owen
386-365-5422

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: also
Date: Monday, January 3, 2022 10:31:38 AM

Let me know if there are any drafts you don't want to proceed with and would like me to close.
Thanks,
Tonya

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: couple of drafts
Date: Monday, December 20, 2021 3:54:49 PM
Attachments: 5-01420-22 Cabinet Reform Exec Reorganization.docx
5-01262-22 Collection of out-of-state income tax.docx

NOTE RE: Draft 01420 from drafting

Gabriel Girado: (12/16/2021 4:27 PM):
Hi Tonya,

Drafted as requested; however I did have some concerns I wanted to point out with the draft:
1. s. 286.101 (lines 2285-2298) was not in the provided materials and based on statute and location the action by the Administration Commission is now performed by DMS.
2. s. 369.305 (lines 2546-2551) has the department (defined in s. 369.303 to be DEO) petitioning itself to confirm the determination.
3. s. 380.045 (lines 2944-2952) has DEO approving via resolution which they cannot do.
4. s. 380.05 (lines 3269-3272) has an agency filing copies of the adopted rule with the state land planning agency and DEO which in this case would be the same entity.
5. s. 403.086 (begins on line 3805) was not in the provided materials and I made minimal changes to conform to the rest of the draft.
6. s. 945.6035 (lines 4063-4069) who should DOAH submit the findings to?

If you have any questions or concerns please do not hesitate to reach out. If you require any changes to the draft please let us know via redraft request.

Thanks,
Gabe

Tonya J Shays
Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City
(352)224-8945 Mobile

AMERICAN OVERSIGHT

5-01420-22

A bill to be entitled

An act relating to executive branch reorganization; providing legislative purpose; providing for a type two transfer of the Administration Commission to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity; providing for the continuation of certain contracts and interagency agreements; providing for a type two transfer of the Florida Land and Water Adjudicatory Commission to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings; authorizing the Executive Office of the Governor to transfer funds and positions between agencies upon approval by the Legislative Budget Commission; requiring that the Governor submit specified information in a timely manner to certain entities; requiring the Governor to seek waivers as required by federal law; providing for the transfer of certain records, funds, and property to a successor organization; providing a directive to the Division of Law Revision to assist substantive committees in the preparation of conforming legislation; repealing s. 14.202, F.S., relating to the Administration Commission; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s.

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FL GOV 22-0226, 20-0378A-000659

20.24, F.S.; providing that the head of the Department of Highway Safety and Motor Vehicles is the secretary, who is appointed by the Governor and confirmed by the Senate and who serves at the pleasure of the Governor; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side, rather than by the approval of three Cabinet members; amending s. 30.49, F.S.; providing that a sheriff may file an appeal of his or her budget to the Governor and Cabinet, rather than the Administration Commission; authorizing the Executive Office of the Governor to adopt rules to govern the appeal process; modifying procedures to conform to changes made by the act; amending s. 110.112, F.S.; requiring approval of the Florida Commission on Human Relations, rather than the Administration Commission, before adoption of an executive agency's affirmative action plan; amending ss. 110.161, 110.201, 110.2035, 110.205, 110.21, 110.219, 110.227, and 110.403, F.S.; modifying duties of the Department of Management Services in its administration of the state employment system to conform to changes made by the act; amending s. 112.175, F.S.; requiring the Department of Management

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Services, instead of the Administration Commission, to adopt rules implementing provisions governing the repayment of educational loans; amending s. 120.533, F.S.; removing authorization for the Department of State to provide for an alternative official compiler of administrative final orders; amending ss. 120.54, 120.542, and 120.63, F.S.; revising provisions governing the establishment of the uniform rules of procedure under, and exemptions from, the Administrative Procedure Act; amending s. 120.65, F.S.; providing that the director of the Division of Administrative Hearings may appeal amendments to the division's operating budget and personnel actions to the Governor and Cabinet instead of the Administration Commission; providing that such appeal may be affirmed by a majority vote of the Governor and Cabinet under certain circumstances; requiring the division to annually issue a certain report to the Governor, rather than the Administration Commission, by a specified date; amending s. 120.80, F.S.; conforming provisions to changes made by the act; amending s. 161.55, F.S.; modifying procedures for reducing coastal building zones to conform to changes made by the act; amending s. 163.3164, F.S.; conforming provisions and a cross-reference to changes made by the act; amending ss. 163.3177, 163.3184, and 163.3187, F.S.; modifying procedures governing the adoption of comprehensive plans and amendments thereto to conform to changes made by the act; amending s.

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FL-GOV-22-0226_20-0378A-000661

163.3213, F.S.; modifying procedures governing the administrative review of land development regulations to conform to changes made by the act; amending s. 163.3245, F.S.; providing for certain development orders to be appealed to the Division of Administrative Hearings, instead of the Florida Land and Water Adjudicatory Commission; amending s. 166.241, F.S.; providing that specified entities may file an appeal regarding a reduction in funding of the operating budget of certain law enforcement agencies with the head of the Department of Law Enforcement, instead of the Administration Commission; authorizing the Executive Office of the Governor to adopt rules to govern the appeal process; requiring that the report of the findings regarding an appeal be submitted to the head of the Department of Law Enforcement, instead of the Administration Commission; providing that the final budget as approved, amended, or modified by the head of the Department of Law Enforcement is final; amending ss. 186.008 and 186.515, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 190.005 and 190.046, F.S.; modifying procedures governing community development districts by transferring duties of the Florida Land and Water Adjudicatory Commission to the Department of Economic Opportunity; amending s. 195.087, F.S.; authorizing the Division of Administrative Hearings, rather than the Administration Commission, to hear property appraiser budget appeals; authorizing the Department

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FL GOV 22-0226, 20-0378A-000662

of Management Services to amend the budget; amending ss. 206.27, 207.021, 212.055, 215.619, and 215.95, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 216.182, F.S.; modifying procedures governing the review of capital outlay programs to conform to changes made by the act; amending s. 216.192, F.S.; modifying procedures governing the review of releases of appropriations to conform to changes made by the act; amending ss. 259.045 and 282.709, F.S.; conforming provisions to changes made by the act; amending s. 286.101, F.S.; providing that the Department of Management Services, rather than the Administration Commission, may lift an entity's ineligibility for state-funded grants and contracts for failure to comply with restrictions regarding the receipt of foreign gifts and contracts if certain conditions are met; amending s. 288.975, F.S.; providing for disputes regarding military base reuse activities to be heard by the Division of Administrative Hearings, instead of the Administration Commission; amending ss. 316.545, 320.275, 322.125, and 331.353, F.S.; conforming provisions to changes made by the act; amending s. 336.025, F.S.; providing for certain disputes regarding the distribution of local option fuel tax proceeds to be heard by the Division of Administrative Hearings, instead of the Administration Commission; amending ss. 337.243 and 369.305, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s.

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FL_GOV_22-0226_20-0378A-000663

373.114, F.S.; revising procedures governing the review of water management district rules and orders to conform to changes made by the act; amending s. 373.139, F.S.; authorizing the governing board of a water management district to appeal a denial of acquisition moneys to the Division of Administrative Hearings, instead of the Land and Water Adjudicatory Commission; amending s. 373.217, F.S.; conforming a provision to changes made by the act; amending s. 373.2295, F.S.; modifying procedures governing certain appeals to conform to changes made by the act; amending ss. 373.4275, 373.703, 377.2425, and 380.031, F.S.; conforming provisions to changes made by the act; amending s. 380.032, F.S.; modifying procedures for initiating review of a state land planning agency rule to conform to changes made by the act; amending s. 380.045, F.S.; modifying procedures of resource planning and management committees and the state land planning agency in developing resource planning and management programs to conform to changes made by the act; amending s. 380.05, F.S.; modifying the duties of the state land planning agency with respect to designations of areas of critical state concern to conform to changes made by the act; amending s. 380.055, F.S.; conforming provisions to changes made by the act; amending s. 380.0552, F.S.; modifying procedures governing removal of the designation of the Florida Keys Area as an area of critical state concern, and modification to plans and regulations, to

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conform to changes made by the act; amending s. 380.0555, F.S.; modifying procedures governing removal of the designation of the Apalachicola Bay Area as an area of critical state concern, and modification to plans and regulations, to conform to changes made by the act; amending s. 380.06, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 380.07, F.S.; modifying procedures governing certain development order appeals to conform to changes made by the act; amending ss. 380.115 and 381.0065, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 388.4111, F.S.; revising procedures regarding the adoption of public lands control plans when the land management agency and local arthropod control agency fail to agree on such plan, to conform to changes made by the act; amending ss. 397.333, 403.061, 403.086, and 403.892, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 581.217, F.S.; requiring the Governor, rather than the Administration Commission, to review and approve an amended state hemp plan before submission to the Legislature; amending ss. 624.509, 943.0313, and 943.06, F.S.; conforming provisions to changes made by the act; amending ss. 945.6035 and 945.6036, F.S.; providing for appeals involving disputes between the state's Correctional Medical Authority and the Department of Corrections to be filed with the Division of Administrative Hearings, rather than the

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Administration Commission, to conform to changes made by the act; amending s. 1002.33, F.S.; providing that a charter school's governing board must comply with public meeting rules adopted by the State Board of Education, rather than the Administration Commission; amending ss. 1002.36 and 1013.25, F.S.; requiring approval from the Department of Economic Opportunity, rather than the Administration Commission, as a prerequisite to the exercise of eminent domain powers by the boards of trustees of the Florida School for the Deaf and Blind and state universities and Florida College System institutions, respectively; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative purpose.—It is the intent of the Legislature to pursue a state executive structure more aligned with the federal system in order to promote greater accountability and efficiency. When America's founding fathers designed our Federal Government structure, they intentionally chose a system in which there was a unitary executive. The founders very consciously declined to sap the executive's strength by dividing the executive power and instead vested the executive power in one elected individual, believing that an energetic executive is the leading character in the definition of good government. The changes made herein reflect the Legislature's intent to move away from a plural executive structure toward more unitary executive governance that

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encourages greater accountability in the democratic process and efficiencies in government.

Section 2. Type two transfers from the Executive Office of the Governor.—

(1)(a) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Administration Commission in the Executive Office of the Governor are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity, as appropriate.

(b) Any binding contract or interagency agreement existing before October 1, 2022, between the Administration Commission in the Executive Office of the Governor, or an entity or agent of the commission, and any other agency, entity, or person must continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

(2) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Florida Land and Water Adjudicatory Commission are transferred by a type two transfer, as defined in s. 20.06(2), Florida

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Statutes, to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings, as appropriate.

Section 3. (1) Notwithstanding ss. 216.292 and 216.351, Florida Statutes, upon approval by the Legislative Budget Commission, the Executive Office of the Governor may transfer funds and positions between agencies to implement this act.

(2) The Governor shall submit in a timely manner to the applicable federal departments or agencies any necessary amendments or supplemental information concerning plans that the state is required to submit to the Federal Government in connection with any federal or state program. The Governor shall seek any waivers from the requirements of federal law or rules which may be necessary to administer this act.

(3) The transfer of any program, activity, duty, or function under this act includes the transfer of any records and unexpended balances of appropriations, allocations, or other funds related to such program, activity, duty, or function. Unless otherwise provided, the successor organization to any program, activity, duty, or function transferred under this act shall become the custodian of any property of the organization that was responsible for the program, activity, duty, or function immediately before the transfer.

Section 4. The Legislature recognizes that there is a need to conform the Florida Statutes to the policy decisions reflected in this act and that there is a need to resolve apparent conflicts between any other legislation that has been or may be enacted during the 2022 Regular Session of the Legislature and the transfer of duties made by this act.

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Therefore, in the interim between this act becoming a law and the 2023 Regular Session of the Legislature or an earlier special session addressing this issue, the Division of Law Revision is directed to provide the relevant substantive committees of the Senate and the House of Representatives with assistance, upon request, to enable such committees to prepare draft legislation to conform the Florida Statutes and any legislation enacted during the 2022 Regular Session of the Legislature to this act.

Section 5. Section 14.202, Florida Statutes, is repealed.

Section 6. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 7. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—

There is created a Department of Highway Safety and Motor

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Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor. The secretary must be confirmed by the Senate. The secretary serves at the pleasure of the Governor ~~and Cabinet~~.

Section 8. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~, with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall serve~~ at the pleasure of the Governor.

Section 9. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 10. Present paragraph (b) of subsection (4) of section 30.49, Florida Statutes, is redesignated as paragraph

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(c), a new paragraph (b) is added to that subsection, and paragraph (a) of subsection (4) and subsections (5) and (10) are amended, to read:

30.49 Budgets.—

(4) The board of county commissioners or the budget commission, as appropriate, may require the sheriff to correct mathematical, mechanical, factual, and clerical errors and errors as to form in the proposed budget. At the hearings held pursuant to s. 200.065, the board or commission may amend, modify, increase, or reduce any or all items of expenditure in the proposed budget, as certified by the sheriff pursuant to paragraphs (2)(a)-(c), and shall approve such budget, as amended, modified, increased, or reduced. The board or commission must give written notice of its action to the sheriff and specify in such notice the specific items amended, modified, increased, or reduced. The budget must include the salaries and expenses of the sheriff's office, cost of operation of the county jail, purchase, maintenance and operation of equipment, including patrol cars, radio systems, transporting prisoners, court duties, and all other salaries, expenses, equipment, and investigation expenditures of the entire sheriff's office for the previous year.

(a) The sheriff, within 30 days after receiving written notice of such action by the board or commission, in person or in his or her office, may file an appeal by petition to the <u>head of the Department of Law Enforcement, which is the Governor and Cabinet</u> ~~Administration Commission~~. The petition must set forth the budget proposed by the sheriff, in the form and manner prescribed by the Executive Office of the Governor ~~and approved~~

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~~by the Administration Commission~~, and the budget as approved by the board of county commissioners or the budget commission and shall contain the reasons or grounds for the appeal. Such petition shall be filed with the Executive Office of the Governor, and a copy served upon the board or commission from the decision of which appeal is taken by delivering the same to the chair or president thereof or to the clerk of the circuit court.

(b) The Executive Office of the Governor may, in accordance with chapter 120, adopt rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days after the hearing, shall issue a final order to~~, shall~~ either approve the action of the board or commission as to each separate item, or approve the budget as proposed by the sheriff as to each separate item, or amend or modify the budget as to each separate item within the limits of the proposed board of expenditures and the expenditures as approved by the board of county commissioners or the budget commission, as the case may be. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

(10) If in the judgment of the sheriff an emergency should

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arise by reason of which the sheriff would be unable to perform his or her duties without the expenditure of larger amounts than those provided in the budget, he or she may apply to the board of county commissioners for the appropriation of additional amounts. If the board of county commissioners approves the sheriff's request, no further action is required on either party. If the board of county commissioners disapproves a portion or all of the sheriff's request, the sheriff may apply to the <u>head of the Department of Law Enforcement</u> ~~Administration Commission~~ for the appropriation of additional amounts. The sheriff shall at the same time deliver a copy of the application to the <u>Executive Office of the Governor</u> ~~Administration Commission~~, the board of county commissioners, and the budget commission, if there is a budget commission within the county. The <u>head of the Department of Law Enforcement</u> ~~Administration Commission~~ may require a budget hearing on the application, after due notice to the sheriff and to the boards, and may grant or deny an increase or increases in the appropriations for the sheriff's offices. If any increase is granted, the board of county commissioners, and the budget commission, if there is a budget commission in the county, shall amend accordingly the budget of the appropriate county fund or funds. Such budget shall be brought into balance, if possible, by application of excess receipts in such county fund or funds. If such excess receipts are not available in sufficient amount, the county fund budget or budgets shall be brought into balance by adding an item of "Vouchers unpaid" in the appropriate amount to the receipts side of the budget, and provision for paying such vouchers shall be made in the budget of the county fund for the

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next fiscal year.

Section 11. Paragraph (a) of subsection (2) of section 110.112, Florida Statutes, is amended to read:

110.112 Affirmative action; equal employment opportunity.—

(2)(a) The head of each executive agency shall develop and implement an affirmative action plan in accordance with rules adopted by the department and approved by a majority vote of the Florida Commission on Human Relations ~~Administration Commission~~ before their adoption.

Section 12. Subsection (5) and paragraph (c) of subsection (6) of section 110.161, Florida Statutes, are amended to read:

110.161 State employees; pretax benefits program.—

(5) The Department of Management Services shall develop rules for the pretax benefits program, which shall specify the benefits to be offered under the program, the continuing tax-exempt status of the program, and any other matters deemed necessary by the department to implement this section. ~~The rules must be approved by a majority vote of the Administration Commission.~~

(6) The Department of Management Services is authorized to administer the pretax benefits program established for all employees so that employees may receive benefits that are not includable in gross income under the Internal Revenue Code of 1986. The pretax benefits program:

(c) May provide for the payment of such premiums through a pretax payroll procedure. The ~~Administration Commission and the~~ Department of Management Services is ~~are~~ directed to take all actions necessary to preserve the tax-exempt status of the program.

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Section 13. Paragraphs (a), (b), and (c) of subsection (1) and subsection (4) of section 110.201, Florida Statutes, are amended to read:

110.201 Personnel rules, records, and reports.—

(1)(a) The department, in consultation with agencies that must comply with these rules, shall develop uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service. Agencies must comply with the uniform rules, except as provided in this section. The department may adopt rules that provide alternative requirements. Upon filing with the Department of State, the appropriate uniform rules will constitute the personnel rules for each agency subject to this act unless the Department of Management Services ~~Administration Commission~~ grants an exception to a specific rule to an agency upon the agency's request or unless the agency must comply with a statutory provision that conflicts with the uniform rules. If an agency must comply with a statutory provision that conflicts with the uniform rules, the agency must notify the department ~~Administration Commission~~, the Administrative Procedures Committee, and the appropriate standing committees of the Legislature and advise the standing committees whether the agency recommends revision of the statute to conform it to the uniform rules. Agencies are encouraged to propose methods of conforming statutory provisions to the uniform personnel rules.

(b) An agency may request an exception to the uniform personnel rules by filing a petition with the department ~~Administration Commission~~. The department ~~Administration Commission~~ shall approve an exception when the exception is

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necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the department ~~Administration Commission~~. The reasons for the exception must be published in the Florida Administrative Register.

(c) Agency rules that provide exceptions to the uniform personnel rules may not be filed with the Department of State unless the Department of Management Services ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules or that must comply with statutory requirements that conflict with the uniform rules must have a separate chapter published in the Florida Administrative Code which clearly delineates the provisions of the agency's rules which provide exceptions or are based upon a conflicting statutory requirement. Each alternative chosen from those authorized by the uniform rules must be specified. Each chapter must be organized in the same manner as the uniform rules.

(4) The department shall coordinate with the Governor ~~and consult with the Administration Commission~~ on personnel matters falling within the scope of collective bargaining and shall represent the Governor in collective bargaining negotiations and other collective bargaining matters as may be necessary. All discussions between the department and the Governor, and between the department and the ~~Administration Commission or~~ agency heads, or between any of their respective representatives, relative to collective bargaining, shall be exempt from the

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provisions of s. 286.011, and all work products relative to collective bargaining developed in conjunction with such discussions shall be confidential and exempt from the provisions of s. 119.07(1).

Section 14. Paragraph (e) of subsection (1) of section 110.2035, Florida Statutes, is amended to read:

110.2035 Classification and compensation program.—

(1) The department ~~of Management Services~~ shall establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service, and Senior Management Service positions. ~~No~~ Action may not be taken to fill any position until it has been classified in accordance with the classification plan.

(e) In cooperation and consultation with the employing agencies, the department shall adopt rules necessary to govern the administration of the classification plan. ~~Such rules shall be approved by the Administration Commission prior to their adoption by the department.~~

Section 15. Paragraph (n) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(n)1.a. In addition to those positions exempted by other paragraphs of this subsection, each department head may designate a maximum of 20 policymaking or managerial positions, as defined by the department ~~and approved by the Administration Commission~~, as being exempt from the Career Service System. Career service employees who occupy a position designated as a

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position in the Selected Exempt Service under this paragraph shall have the right to remain in the Career Service System by opting to serve in a position not exempted by the employing agency. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Selected Exempt Service; provided, however, that if the agency head determines that the general counsel, chief Cabinet aide, public information administrator or comparable position for a Cabinet officer, inspector general, or legislative affairs director has both policymaking and managerial responsibilities and if the department determines that any such position has both policymaking and managerial responsibilities, the salary and benefits for each such position shall be established by the department in accordance with the rules of the Senior Management Service.

b. In addition, each department may designate one additional position in the Senior Management Service if that position reports directly to the agency head or to a position in the Senior Management Service and if any additional costs are absorbed from the existing budget of that department.

2. If otherwise exempt, employees of the Public Employees Relations Commission, the Commission on Human Relations, and the Reemployment Assistance Appeals Commission, upon the certification of their respective commission heads, may be provided for under this paragraph as members of the Senior Management Service, if otherwise qualified. However, the deputy general counsel of the Public Employees Relations Commission shall be compensated as members of the Selected Exempt Service.

Section 16. Subsection (5) of section 110.21, Florida

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Statutes, is amended to read:

110.21 Shared employment.—In order to promote part-time career employment opportunities at all levels in the career service, the department shall establish and maintain a plan for shared employment applicable to all classes in the career service and shall be responsible for the overall review, coordination, and administration of the shared-employment plan.

(5) The department shall adopt any rules necessary to implement ~~the provisions of~~ this section~~; however, such rules shall be approved by the Administration Commission prior to their adoption by the department~~.

Section 17. Subsection (5) of section 110.219, Florida Statutes, is amended to read:

110.219 Attendance and leave; general policies.—

(5) Rules shall be adopted by the department in cooperation and consultation with the agencies to implement ~~the provisions of~~ this section~~; however, such rules must be approved by the Administration Commission prior to their adoption~~. Such rules must provide for, but need not be limited to:

(a) The maximum responsibility and authority resting with each agency head to administer attendance and leave matters in the agency within the parameters of the rules adopted by the department.

(b) Creditable service in which 1 month of service credit is awarded for each calendar month that the employee is on the payroll of a state agency or during which the employee is on authorized leave without pay.

(c) Holidays as provided in s. 110.117.

(d) Overtime provisions.

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(e) Annual leave provisions.

(f) Sick leave provisions.

(g) Parental leave provisions.

(h) Family medical leave provisions.

(i) Disability leave provisions.

(j) Compulsory disability leave provisions.

(k) Administrative leave provisions.

(l) Military leave provisions.

(m) Educational leave with pay provisions.

(n) Leave of absence without pay provisions.

Section 18. Paragraph (b) of subsection (2) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(2)

(b) For the implementation of layoffs as defined in s. 110.107, the department shall develop rules requiring retention of the agency's employees based upon objective measures that give consideration to comparative merit, demonstrated skills, the employee's experience, and the employee's length of service. ~~Such rules shall be approved by the Administration Commission before their adoption by the department.~~

Section 19. Subsection (1) of section 110.403, Florida Statutes, is amended to read:

110.403 Powers and duties of the department.—

(1) In order to implement the purposes of this part, the department ~~of Management Services, after approval by the Administration Commission,~~ shall adopt and amend rules providing for:

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(a) A system for employing, promoting, or reassigning managers that is responsive to organizational or program needs. In no event shall the number of positions included in the Senior Management Service exceed 1.0 percent of the total full-time equivalent positions in the career service. The department shall deny approval to establish any position within the Senior Management Service which would exceed the limitation established in this paragraph. The department shall report that the limitation has been reached to the Governor, the President of the Senate, and the Speaker of the House of Representatives, as soon as practicable after such event occurs. Employees in the Senior Management Service shall serve at the pleasure of the agency head and shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel action at the discretion of the agency head. Such personnel actions are exempt from the provisions of chapter 120.

(b) A performance appraisal system which shall take into consideration individual and organizational efficiency, productivity, and effectiveness.

(c) A classification plan and a salary and benefit plan that provides appropriate incentives for the recruitment and retention of outstanding management personnel and provides for salary increases based on performance.

(d) A system of rating duties and responsibilities for positions within the Senior Management Service and the qualifications of candidates for those positions.

(e) A system for documenting actions taken on agency requests for approval of position exemptions and special pay increases.

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(f) Requirements regarding recordkeeping by agencies with respect to Senior Management Service positions. Such records shall be audited periodically by the department ~~of Management Services~~ to determine agency compliance with ~~the provisions of~~ this part and the rules of the department ~~of Management Services~~.

(g) Other procedures relating to personnel administration to carry out the purposes of this part.

(h) A program of affirmative and positive action that will ensure full utilization of women and minorities in Senior Management Service positions.

Section 20. Subsection (2) of section 112.175, Florida Statutes, is amended to read:

112.175 Employee wages; withholding to repay educational loan.—

(2) The Department of Management Services ~~Administration Commission~~ shall adopt rules to implement this section, which shall include, but not be limited to, a standard method of calculating amounts to be withheld from employees who have failed to establish a repayment schedule within the specified period of time or failed to meet the terms and conditions of the agreed to or approved repayment schedule provided for in this section. Such method shall consider the following factors:

(a) The amount of the loan which remains outstanding;

(b) The income of the employee who owes such amount; and

(c) Other factors such as the number of dependents supported by the employee.

Section 21. Subsection (7) of section 120.533, Florida Statutes, is amended to read:

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120.533 Coordination of the transmittal, indexing, and listing of agency final orders by Department of State.—The Department of State shall:

(7) Adopt rules as necessary to administer its responsibilities under this section, which shall be binding on all agencies including the division acting in the capacity of official compiler of administrative final orders under s. 120.53, notwithstanding s. 120.65. ~~The Department of State may provide for an alternative official compiler to manage and operate the division's database and related services if the Administration Commission determines that the performance of the division as official compiler is unsatisfactory.~~

Section 22. Subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

(5) UNIFORM RULES.—

(a)1. The division ~~by July 1, 1997, the Administration Commission~~ shall adopt one or more sets of uniform rules of procedure which shall be reviewed by the committee and filed with the Department of State. Agencies must comply with the uniform rules ~~by July 1, 1998~~. The uniform rules must ~~shall~~ establish procedures that comply with the requirements of this chapter. On filing with the department, the uniform rules must ~~shall~~ be the rules of procedure for each agency subject to this chapter unless the division ~~Administration Commission~~ grants an exception to the agency under this subsection.

2. An agency may seek exceptions to the uniform rules of procedure by filing a petition with the division ~~Administration Commission~~. The division ~~Administration Commission~~ shall approve

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exceptions to the extent necessary to implement other statutes, to the extent necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the division ~~Administration Commission~~. The reasons for the exceptions shall be published in the Florida Administrative Register.

3. Agency rules that provide exceptions to the uniform rules may ~~shall~~ not be filed with the department unless the division ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules shall publish a separate chapter in the Florida Administrative Code that delineates clearly the provisions of the agency's rules which ~~that~~ provide exceptions to the uniform rules and specifies each alternative chosen from among those authorized by the uniform rules. Each chapter shall be organized in the same manner as the uniform rules.

(b) The uniform rules of procedure adopted by the division ~~commission~~ pursuant to this subsection must ~~shall~~ include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency which ~~that~~ provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules must ~~shall~~ provide that all evidence, testimony, and argument presented

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shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology must ~~shall~~ state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. ~~Nothing in~~ This paragraph may not ~~shall~~ be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to ~~the provisions of~~ s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The division ~~Administration Commission~~ may prescribe the form and substantive provisions of a required bond.

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4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules must ~~shall~~ require the petition to include:

a. The identification of the petitioner, including the petitioner's e-mail address, if any, for the transmittal of subsequent documents by electronic means.

b. A statement of when and how the petitioner received notice of the agency's action or proposed action.

c. An explanation of how the petitioner's substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules must ~~shall~~ require a request to include:

a. The name, address, e-mail address, and telephone number of the party making the request and the name, address, and

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telephone number of the party's counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent's use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Register under s. 120.565, including any applicable time limit for the filing of petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency's organization and general course of its operations. The rules must ~~shall~~ require that the

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statement concerning the agency's organization and operations be published on the agency's website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 23. Subsection (3) of section 120.542, Florida Statutes, is amended to read:

120.542 Variances and waivers.—

(3) The division ~~Governor and Cabinet, sitting as the Administration Commission,~~ shall adopt uniform rules of procedure pursuant to the requirements of s. 120.54(5) establishing procedures for granting or denying petitions for variances and waivers. The uniform rules must ~~shall~~ include procedures for the granting, denying, or revoking of emergency and temporary variances and waivers. Such provisions may provide for expedited timeframes, waiver of or limited public notice, and limitations on comments on the petition in the case of such temporary or emergency variances and waivers.

Section 24. Section 120.63, Florida Statutes, is amended to read:

120.63 Exemption from act.—

(1) Upon application of any agency, the Department of Management Services ~~Administration Commission~~ may exempt any process or proceeding governed by this act from one or more requirements of this act:

(a) When the agency head has certified that the requirement would conflict with any provision of federal law or rules with which the agency must comply;

(b) In order to permit persons in the state to receive tax

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benefits or federal funds under any federal law; or

(c) When the Department of Management Services ~~commission~~ has found that conformity with the requirements of the part or parts of this act for which exemption is sought would be so inconvenient or impractical as to defeat the purpose of the agency proceeding involved or the purpose of this act and would not be in the public interest in light of the nature of the intended action and the enabling act or other laws affecting the agency.

(2) The Department of Management Services ~~commission~~ may not exempt an agency from any requirement of this act pursuant to this section until it establishes alternative procedures to achieve the agency's purpose which are ~~shall be~~ consistent, insofar as possible, with the intent and purpose of the act.

(a) Before ~~Prior to~~ the granting of any exemption authorized by this section, the Department of Management Services ~~commission~~ shall hold a public hearing after notice given as provided in s. 120.525. Upon the conclusion of the hearing, the department ~~commission, through the Executive Office of the Governor,~~ shall issue an order specifically granting or denying the exemption and specifying any processes or proceedings exempted and the extent of the exemption; transmit to the committee and to the Department of State a copy of the petition, a certified copy of the order granting or denying the petition, and a copy of any alternative procedures prescribed; and give notice of the petition and the Department of Management Services' ~~commission's~~ response in the Florida Administrative Register.

(b) An exemption and any alternative procedure prescribed

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shall terminate 90 days following adjournment sine die of the then-current or next regular legislative session after issuance of the exemption order, or upon the effective date of any subsequent legislation incorporating the exemption or any partial exemption related thereto, whichever is earlier. The exemption granted by the Department of Management Services ~~commission~~ shall be renewable upon the same or similar facts not more than once. Such renewal shall terminate as would an original exemption.

Section 25. Subsections (2) and (8) of section 120.65, Florida Statutes, are amended to read:

120.65 Administrative law judges.—

(2) The director has the right to appeal actions by the Executive Office of the Governor which ~~that~~ affect amendments to the division's approved operating budget or any personnel actions pursuant to chapter 216 to the Governor and Cabinet ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees may advise the Governor and Cabinet ~~Administration Commission~~ on the issue. If the President of the Senate and the Speaker of the House of Representatives object in writing to the effects of the appeal, the appeal may be affirmed by the majority vote of the Governor and Cabinet ~~affirmative vote of two-thirds of the commission members present~~.

(8) Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Governor ~~Administration Commission~~, including at least the following information:

(a) A summary of the extent and effect of agencies' use

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~~utilization~~ of administrative law judges, court reporters, and other personnel in proceedings under this chapter.

(b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

(c) Recommendations as to those types of cases or disputes which should be conducted under the summary hearing process described in s. 120.574.

(d) A report regarding each agency's compliance with the filing requirement in s. 120.57(1)(m).

Section 26. Paragraph (a) of subsection (1) and subsection (5) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

(1) DIVISION OF ADMINISTRATIVE HEARINGS.—

(a) *Division as a party.*—Notwithstanding s. 120.57(1)(a), a hearing in which the division is a party may not be conducted by an administrative law judge assigned by the division. An attorney assigned by the Department of Management Services ~~Administration Commission~~ shall be the hearing officer.

(5) LAND USE AND PLANNING ~~FLORIDA LAND AND WATER ADJUDICATORY COMMISSION. Notwithstanding the provisions of s. 120.57(1)(a),~~ When the division ~~Florida Land and Water Adjudicatory Commission~~ receives a notice of appeal pursuant to s. 380.07, the division ~~commission~~ shall notify the Department of Economic Opportunity and the Department of Environmental Protection ~~division~~ within 60 days after receipt of the notice of appeal ~~if the commission elects to request the assignment of an administrative law judge~~.

Section 27. Subsection (4) of section 161.55, Florida

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Statutes, is amended to read:

161.55 Requirements for activities or construction within the coastal building zone.—The following requirements shall apply beginning March 1, 1986, to construction within the coastal building zone and shall be minimum standards for construction in this area:

(4) APPLICATION TO COASTAL BARRIER ISLANDS.—All requirements of this part which are applicable to the coastal building zone shall also apply to coastal barrier islands. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high-water line to a line 5,000 feet landward from the coastal construction control line established pursuant to s. 161.053, or the entire island, whichever is less. For coastal barrier islands on which a coastal construction control line has not been established pursuant to s. 161.053, the coastal building zone shall be the land area seaward of the most landward velocity zone (V-zone) boundary line fronting upon the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida. All land area in the Florida Keys located within Monroe County shall be included in the coastal building zone. The coastal building zone on any coastal barrier island between Sebastian Inlet and Fort Pierce Inlet may be reduced in size upon approval of the department ~~Land and Water Adjudicatory Commission~~, if it determines that the local government with jurisdiction has provided adequate protection for the barrier island. In no case, however, shall the coastal building zone be reduced to an area less than a line 2,500 feet landward of the coastal construction control line. The department must ~~Land and Water Adjudicatory Commission shall~~ withdraw its approval for a

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reduced coastal building zone if it determines that 6 months after a local government comprehensive plan is due for submission to the state land planning agency pursuant to s. 163.3167 the local government with jurisdiction has not adopted a coastal management element which is in compliance with s. 163.3178.

Section 28. Subsections (2) and (45) of section 163.3164, Florida Statutes, are amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

~~(2) "Administration Commission" means the Governor and the Cabinet, and for purposes of this chapter the commission shall act on a simple majority vote, except that for purposes of imposing the sanctions provided in s. 163.3184(8), affirmative action shall require the approval of the Governor and at least three other members of the commission.~~

(44)~~(45)~~ "Structure" has the same meaning as in s. 380.031(18) ~~s. 380.031(19)~~.

Section 29. Paragraph (f) of subsection (1) and paragraph (a) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a

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consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

(f) All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

1. Surveys, studies, and data utilized in the preparation of the comprehensive plan may not be deemed a part of the

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comprehensive plan unless adopted as a part of it. Copies of such studies, surveys, data, and supporting documents for proposed plans and plan amendments shall be made available for public inspection, and copies of such plans shall be made available to the public upon payment of reasonable charges for reproduction. Support data or summaries are not subject to the compliance review process, but the comprehensive plan must be clearly based on appropriate data. Support data or summaries may be used to aid in the determination of compliance and consistency.

2. Data must be taken from professionally accepted sources. The application of a methodology utilized in data collection or whether a particular methodology is professionally accepted may be evaluated. However, the evaluation may not include whether one accepted methodology is better than another. Original data collection by local governments is not required. However, local governments may use original data so long as methodologies are professionally accepted.

3. The comprehensive plan shall be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~,~~ ~~including related rules of the Administration Commission~~. Absent physical limitations on population growth, population

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projections for each municipality, and the unincorporated area within a county must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth.

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

a. The amount of land required to accommodate anticipated growth.

b. The projected permanent and seasonal population of the

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area.

c. The character of undeveloped land.

d. The availability of water supplies, public facilities, and services.

e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.

f. The compatibility of uses on lands adjacent to or closely proximate to military installations.

g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

h. The discouragement of urban sprawl.

i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

j. The need to modify land uses and development patterns within antiquated subdivisions.

3. The future land use plan element shall include criteria to be used to:

a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).

b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.

d. Encourage the location of schools proximate to urban residential areas to the extent possible.

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e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.

f. Ensure the protection of natural and historic resources.

g. Provide for the compatibility of adjacent land uses.

h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.

4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~, including related rules of the Administration Commission~~.

5. The future land use plan of a county may designate areas for possible future municipal incorporation.

6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.

7. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public

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schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.

8. Future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services.

b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-

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intensity, low-density, or single-use development or uses.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities and services.

(VII) Fails to maximize use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(IX) Fails to provide a clear separation between rural and urban uses.

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(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

(XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.

(XIII) Results in the loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

(IV) Promotes conservation of water and energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of

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the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

10. The future land use element shall include a future land use map or map series.

a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:

(I) Residential.

(II) Commercial.

(III) Industrial.

(IV) Agricultural.

(V) Recreational.

(VI) Conservation.

(VII) Educational.

(VIII) Public.

b. The following areas shall also be shown on the future land use map or map series, if applicable:

(I) Historic district boundaries and designated historically significant properties.

(II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.

(III) Multimodal transportation district boundaries.

(IV) Mixed-use categories.

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c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:

(I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.

(II) Beaches and shores, including estuarine systems.

(III) Rivers, bays, lakes, floodplains, and harbors.

(IV) Wetlands.

(V) Minerals and soils.

(VI) Coastal high hazard areas.

Section 30. Paragraph (c) of subsection (3), paragraph (e) of subsection (4), paragraph (d) of subsection (5), paragraph (d) of subsection (7), and subsection (8) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(c)1. The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis,

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shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under subparagraph (b)2.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of an amendment package. For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. An amendment adopted under this paragraph does not become effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(4) STATE COORDINATED REVIEW PROCESS.—

(e) *Local government review of comments; adoption of plan or amendments and transmittal.*—

1. The local government shall review the report submitted to it by the state land planning agency, if any, and written comments submitted to it by any other person, agency, or

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government. The local government, upon receipt of the report from the state land planning agency, shall hold its second public hearing, which shall be a hearing to determine whether to adopt the comprehensive plan or one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails to hold the second hearing within 180 days after receipt of the state land planning agency's report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under paragraph (c).

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of a plan or plan amendment package. For purposes of completeness, a plan or plan amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local

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government deems appropriate.

4. After the state land planning agency makes a determination of completeness regarding the adopted plan or plan amendment, the state land planning agency shall have 45 days to determine if the plan or plan amendment is in compliance with this act. Unless the plan or plan amendment is substantially changed from the one commented on, the state land planning agency's compliance determination shall be limited to objections raised in the objections, recommendations, and comments report. During the period provided for in this subparagraph, the state land planning agency shall issue, through a senior administrator or the secretary, a notice of intent to find that the plan or plan amendment is in compliance or not in compliance. The state land planning agency shall post a copy of the notice of intent on the agency's Internet website. Publication by the state land planning agency of the notice of intent on the state land planning agency's Internet site shall be prima facie evidence of compliance with the publication requirements of this subparagraph.

5. A plan or plan amendment adopted under the state coordinated review process shall go into effect pursuant to the state land planning agency's notice of intent. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(d) ~~If the administrative law judge recommends that the~~

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~~amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. The Department of Economic Opportunity ~~Administration Commission~~ shall make every effort to enter a final order expeditiously, but at a minimum within the time period provided by s. 120.569.

(7) MEDIATION AND EXPEDITIOUS RESOLUTION.—

(d) For a case following the procedures under this subsection, absent written consent of the parties or a showing of extraordinary circumstances, if the administrative law judge recommends that the amendment be found not in compliance, the Department of Economic Opportunity must ~~Administration Commission shall~~ issue a final order within 45 days after issuance of the recommended order. If the administrative law judge recommends that the amendment be found in compliance, the state land planning agency shall issue a final order within 45 days after issuance of the recommended order. If the state land planning agency fails to timely issue a final order, the recommended order finding the amendment to be in compliance immediately becomes the final order.

(8) DEPARTMENT OF ECONOMIC OPPORTUNITY ~~ADMINISTRATION COMMISSION~~.—

(a) If the Department of Economic Opportunity ~~Administration Commission~~, upon a hearing pursuant to subsection (5), finds that the comprehensive plan or plan amendment is not in compliance with this act, the department must ~~commission shall~~ specify remedial actions that would bring the comprehensive plan or plan amendment into compliance.

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(b) The Department of Economic Opportunity ~~commission~~ may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1. The department ~~commission~~ may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The department's ~~commission~~ order may also specify that the local government is not eligible for grants administered under the following programs:

a. The Florida Small Cities Community Development Block Grant Program, as authorized by ss. 290.0401-290.048.

b. The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c. Revenue sharing pursuant to ss. 206.60, 210.20, and 218.61 and chapter 212, to the extent not pledged to pay back bonds.

2. If the local government is one which is required to include a coastal management element in its comprehensive plan pursuant to s. 163.3177(6)(g), the department's ~~commission~~ order may also specify that the local government is not eligible for funding pursuant to s. 161.091. The department's ~~commission~~ order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. 161.053 and when the Board of Trustees of the Internal

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Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3. The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and except as provided in this paragraph.

Section 31. Paragraph (c) of subsection (1) and paragraphs (b) and (c) of subsection (5) of section 163.3187, Florida Statutes, are amended to read:

163.3187 Process for adoption of small scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or ~~by the Administration Commission~~ pursuant to s. 380.05(1).

(5)

(b)~~1. If the administrative law judge recommends that the small scale development amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. ~~If the administrative law judge recommends that the small scale development amendment be~~

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~~found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.~~

~~2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.~~

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the Department of Economic Opportunity ~~state land planning agency or the Administration Commission, respectively,~~ issues a final order determining that the adopted small scale development amendment is in compliance.

Section 32. Subsection (6) of section 163.3213, Florida Statutes, is amended to read:

163.3213 Administrative review of land development regulations.—

(6) If the administrative law judge in his or her order finds the land development regulation to be inconsistent with the local comprehensive plan, the order will be submitted to the Department of Economic Opportunity ~~Administration Commission~~. An appeal pursuant to s. 120.68 may not be taken until the Department of Economic Opportunity makes a final determination of the recommended order ~~Administration Commission acts pursuant to this subsection~~. The Department of Economic Opportunity shall make a final determination ~~Administration Commission shall hold~~

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~~a hearing~~ no earlier than 30 days or later than 60 days after the administrative law judge renders his or her final order. The sole issue before the Department of Economic Opportunity ~~Administration Commission~~ shall be the extent to which any of the sanctions described in s. 163.3184(8)(a) or (b)1. or 2. are ~~shall be~~ applicable to the local government whose land development regulation has been found to be inconsistent with its comprehensive plan. If a land development regulation is not challenged within 12 months, it must ~~shall~~ be deemed to be consistent with the adopted local plan.

Section 33. Paragraph (e) of subsection (3) of section 163.3245, Florida Statutes, is amended to read:

163.3245 Sector plans.—

(3) Sector planning encompasses two levels: adoption pursuant to s. 163.3184 of a long-term master plan for the entire planning area as part of the comprehensive plan, and adoption by local development order of two or more detailed specific area plans that implement the long-term master plan and within which s. 380.06 is waived.

(e) Whenever a local government issues a development order approving a detailed specific area plan, a copy of such order shall be rendered to the state land planning agency and the owner or developer of the property affected by such order, as prescribed by rules of the state land planning agency for a development order for a development of regional impact. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the

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detailed specific area plan is not consistent with the comprehensive plan or with the long-term master plan adopted pursuant to this section. The appellant shall furnish a copy of the petition to the opposing party, as the case may be, and to the local government that issued the order. The filing of the petition stays the effectiveness of the order until after completion of the appeal process. However, if a development order approving a detailed specific area plan has been challenged by an aggrieved or adversely affected party in a judicial proceeding pursuant to s. 163.3215, and a party to such proceeding serves notice to the state land planning agency, the state land planning agency shall dismiss its appeal to the division ~~commission~~ and shall have the right to intervene in the pending judicial proceeding pursuant to s. 163.3215. Proceedings for administrative review of an order approving a detailed specific area plan shall be conducted consistent with s. 380.07(5). The division ~~commission~~ shall issue a decision granting or denying permission to develop pursuant to the long-term master plan and the standards of this part and may attach conditions or restrictions to its decisions.

Section 34. Subsections (4) and (5) of section 166.241, Florida Statutes, are amended to read:

166.241 Fiscal years, budgets, appeal of municipal law enforcement agency budget, and budget amendments.—

(4)(a) If the tentative budget of a municipality contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an

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appeal by petition to the head of the Department of Law Enforcement ~~Administration Commission~~ within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply with the Executive Office of the Governor and shall serve a copy of such reply to the petitioner.

(c) The Executive Office of the Governor may, in accordance with chapter 120, adopt rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days, shall approve the action of the governing body of the municipality or amend or

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modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

Section 35. Subsections (1) and (2) of section 186.008, Florida Statutes, are amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Department of Economic Opportunity ~~Administration Commission~~, any proposed revisions to the state comprehensive plan deemed necessary. The Governor shall transmit his or her recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.

(2) On or before December 15 of every odd-numbered year, the Department of Economic Opportunity ~~Administration Commission~~ shall review the proposed revisions to the state comprehensive plan prepared by the Governor. The department ~~commission~~ shall provide ~~adopt a resolution, after~~ public notice and a reasonable opportunity for public comment, and transmit the proposed revisions to the state comprehensive plan to the Legislature, together with any amendments approved by the department ~~commission~~ and any dissenting reports. The department ~~commission~~ shall identify those portions of the plan that are not based on existing law.

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Section 36. Section 186.515, Florida Statutes, is amended to read:

186.515 Creation of regional planning councils under chapter 163.—Nothing in ss. 186.501-186.507, 186.513, and this section is intended to repeal or limit the provisions of chapter 163; however, the local general-purpose governments serving as voting members of the governing body of a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section are not authorized to create a regional planning council pursuant to chapter 163 unless an agency, other than a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section, is designated to exercise the powers and duties in any one or more of ss. 163.3164 and 380.031(14) ~~ss. 163.3164 and 380.031(15)~~; in which case, such a regional planning council is also without authority to exercise the powers and duties in s. 163.3164 or s. 380.031(14) ~~s. 380.031(15)~~.

Section 37. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 190.005, Florida Statutes, are amended to read:

190.005 Establishment of district.—

(1) The exclusive and uniform method for the establishment of a community development district with a size of 2,500 acres or more shall be pursuant to a rule, adopted under chapter 120 by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, granting a petition for the establishment of a community development district.

(a) A petition for the establishment of a community development district shall be filed by the petitioner with the

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Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. The petition shall contain:

1. A metes and bounds description of the external boundaries of the district. Any real property within the external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district.

2. The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(14), the written consent by such governmental entity.

3. A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006.

4. The proposed name of the district.

5. A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.

6. Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be

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submitted in good faith but are not binding and may be subject to change.

7. A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Community Planning Act.

8. A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.

(b) Before ~~Prior to~~ filing the petition, the petitioner shall:

1. Pay a filing fee of $15,000 to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of the land within, the external boundaries of the district.

2. Submit a copy of the petition to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of, the land within the external boundaries of the district.

3. If land to be included within a district is located partially within the unincorporated area of one or more counties and partially within a municipality or within two or more municipalities, pay a $15,000 filing fee to each entity.

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Districts established across county boundaries shall be required to maintain records, hold meetings and hearings, and publish notices only in the county where the majority of the acreage within the district lies.

(c) Such county and each such municipality required by law to receive a petition may conduct a public hearing to consider the relationship of the petition to the factors specified in paragraph (e). The public hearing shall be concluded within 45 days after the date the petition is filed unless an extension of time is requested by the petitioner and granted by the county or municipality. The county or municipality holding such public hearing may by resolution express its support of, or objection to the granting of, the petition by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. A resolution must base any objection to the granting of the petition upon the factors specified in paragraph (e). Such county or municipality may present its resolution of support or objection at the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ hearing and shall be afforded an opportunity to present relevant information in support of its resolution.

(d) A local public hearing on the petition shall be conducted by a hearing officer in conformance with the applicable requirements and procedures of the Administrative Procedure Act. The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph (e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice

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of the hearing to be published for 4 successive weeks on a newspaper's website and the statewide legal notice website provided in s. 50.0211(5) or, if published in print, in a newspaper at least once a week for the 4 successive weeks immediately before ~~prior to~~ the hearing as provided in chapter 50. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. If published in the print edition of a newspaper, the advertisement may not be placed in the portion of the newspaper where legal notices and classified advertisements appear. The advertisement must be published in a newspaper in the county and of general interest and readership in the community pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least weekly, unless the only newspaper in the community is published less than weekly. If the notice is published in the print edition of the newspaper, the map must also be included in any online advertisement pursuant to s. 50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

(e) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall consider the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments as provided in paragraph (c), and the following factors and make a

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determination to grant or deny a petition for the establishment of a community development district:

1. Whether all statements contained within the petition have been found to be true and correct.

2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

5. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

6. Whether the area that will be served by the district is amenable to separate special-district government.

(f) The Department of Economic Opportunity may ~~Florida Land and Water Adjudicatory Commission shall~~ not adopt any rule which would expand, modify, or delete any provision of the uniform community development district charter as set forth in ss. 190.006-190.041, except as provided in s. 190.012. A rule establishing a community development district shall only contain the following:

1. A metes and bounds description of the external

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boundaries of the district and any real property within the external boundaries of the district which is to be excluded.

2. The names of five persons designated to be the initial members of the board of supervisors.

3. The name of the district.

(g) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules setting forth its procedures for considering petitions to establish, expand, modify, or delete uniform community development districts or portions thereof consistent with ~~the provisions of~~ this section.

(2) The exclusive and uniform method for the establishment of a community development district of less than 2,500 acres in size or a community development district of up to 7,000 acres in size located within a connected-city corridor established pursuant to s. 163.3246(13) shall be pursuant to an ordinance adopted by the county commission of the county having jurisdiction over the majority of land in the area in which the district is to be located granting a petition for the establishment of a community development district as follows:

(e) If all of the land in the area for the proposed district is within the territorial jurisdiction of a municipal corporation, then the petition requesting establishment of a community development district under this act shall be filed by the petitioner with that particular municipal corporation. In such event, the duties of the county, hereinabove described, in action upon the petition shall be the duties of the municipal corporation. If any of the land area of a proposed district is within the land area of a municipality, the county commission may not create the district without municipal approval. If all

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of the land in the area for the proposed district, even if less than 2,500 acres, is within the territorial jurisdiction of two or more municipalities or two or more counties, except for proposed districts within a connected-city corridor established pursuant to s. 163.3246(13), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ and proceed in accordance with subsection (1).

(f) Notwithstanding any other provision of this subsection, within 90 days after a petition for the establishment of a community development district has been filed pursuant to this subsection, the governing body of the county or municipal corporation may transfer the petition to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, which shall make the determination to grant or deny the petition as provided in subsection (1). A county or municipal corporation shall have no right or power to grant or deny a petition that has been transferred to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

Section 38. Paragraph (d) of subsection (1) and subsection (10) of section 190.046, Florida Statutes, are amended to read:

190.046 Termination, contraction, or expansion of district.—

(1) A landowner or the board may petition to contract or expand the boundaries of a community development district in the following manner:

(d)1. For those districts initially established by administrative rule pursuant to s. 190.005(1), the petition

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shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

2. Before ~~Prior to~~ filing the petition, the petitioner shall pay a filing fee of $1,500, to the county if the district or the land to be added or deleted from the district is located within an unincorporated area or to the municipality if the district or the land to be added or deleted is located within an incorporated area, and to each municipality the boundaries of which are contiguous with or contain all or a portion of the land within or to be added to or deleted from the external boundaries of the district. The petitioner shall submit a copy of the petition to the same entities entitled to receive the filing fee. In addition, if the district is not the petitioner, the petitioner shall file the petition with the district board of supervisors.

3. Each county and each municipality shall have the option of holding a public hearing as provided by s. 190.005(1)(c). However, the public hearing shall be limited to consideration of the contents of the petition and whether the petition for amendment should be supported by the county or municipality.

4. The district board of supervisors shall, in lieu of a hearing officer, hold the local public hearing provided for by s. 190.005(1)(d). This local public hearing shall be noticed in the same manner as provided in s. 190.005(1)(d). Within 45 days after ~~of~~ the conclusion of the hearing, the district board of supervisors shall transmit to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ the full record of the local hearing, the transcript of the hearing, any resolutions adopted by the local general-purpose

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governments, and its recommendation whether to grant the petition for amendment. The Department of Economic Opportunity ~~commission~~ shall then proceed in accordance with s. 190.005(1)(e).

5. A rule amending a district boundary shall describe the land to be added or deleted.

(10) If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district or, if the district was established by rule of the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, the district may be dissolved by repeal of such rule of the department ~~commission~~.

Section 39. Paragraph (b) of subsection (1) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(1)

(b) The Division of Administrative Hearings ~~Governor and Cabinet, sitting as the Administration Commission,~~ may hear appeals from the final action of the department upon a written request being filed by the property appraiser or the presiding officer of the county commission no later than 15 days after the conclusion of the hearing held pursuant to s. 200.065(2)(d). The filing of an appeal does not relieve the county commission of its obligation to fund the department-approved final budget during the pendency of the appeal. The Department of Management

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Services ~~Administration Commission~~ may amend the budget if it finds that any aspect of the budget is unreasonable in light of the workload of the office of the property appraiser in the county under review. The budget request as approved by the department and as amended by the Department of Management Services ~~commission~~ shall become the operating budget of the property appraiser for the ensuing fiscal year beginning October 1, except that the budget so approved may subsequently be amended under the same procedure. After final approval, the property appraiser shall make no transfer of funds between accounts without the written approval of the department. However, all moneys received by property appraisers in complying with chapter 119 shall be accounted for in the same manner as provided for in s. 218.36, for moneys received as county fees and commissions, and any such moneys may be used and expended in the same manner and to the same extent as funds budgeted for the office and no budget amendment shall be required.

Section 40. Effective July 1, 2022, subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~nothing herein shall be construed as requiring~~ the department to provide as a public record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that the foregoing information shall be exempt from ~~the provisions of~~ s. 119.07(1) and shall be considered confidential pursuant to s. 213.053;

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however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, shall apply if the department makes such information available. An ~~Any~~ officer, an employee, or a former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 41. Effective July 1, 2022, paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the

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time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

Section 42. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting

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from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related

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costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" means facilities as defined in s. 163.3164(38) ~~s. 163.3164(39)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of

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emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property,

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including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 43. Subsection (1) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(1) The issuance of Everglades restoration bonds to finance or refinance the cost of the acquisition and improvement of land, water areas, and related property interests and resources for the purpose of implementing the Comprehensive Everglades Restoration Plan under s. 373.470, the Lake Okeechobee Watershed Protection Plan under s. 373.4595, the Caloosahatchee River Watershed Protection Plan under s. 373.4595, the St. Lucie River

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Watershed Protection Plan under s. 373.4595, the City of Key West Area of Critical State Concern as designated ~~by the Administration Commission~~ under s. 380.05, and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 in order to restore and conserve natural systems through implementation of water management projects, including projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects, projects to protect water resources available to the Florida Keys, including wastewater management projects identified in the Keys Wastewater Plan, dated November 2007, and submitted to the Florida House of Representatives on December 4, 2007, is authorized in accordance with s. 11(e), Art. VII of the State Constitution.

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding $100 million per fiscal year unless:

1. The Department of Environmental Protection has requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or

2. The Legislature authorizes an additional amount of bonds not to exceed $200 million, and limited to $50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program and the City of Key West Area of Critical State Concern. Proceeds from the bonds shall be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys

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Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys.

(b) The duration of Everglades restoration bonds may not exceed 20 annual maturities and must mature by December 31, 2047. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution for bonds issued on or after July 1, 2015. Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues before authorizing the issuance of bonds under this section.

Section 44. Subsection (1) of section 215.95, Florida Statutes, is amended to read:

215.95 Financial Management Information Board.—

(1) There is created~~, as part of the Administration Commission,~~ the Financial Management Information Board. The board shall be composed of the Governor, the Chief Financial Officer, the Commissioner of Agriculture, and the Attorney General. The Governor shall be chair of the board. The Governor or the Chief Financial Officer may call a meeting of the board at any time the need arises.

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Section 45. Subsection (2) of section 216.182, Florida Statutes, is amended to read:

216.182 Approval of fixed capital outlay program plan.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the determination of the program plan by the Executive Office of the Governor pursuant to subsection (1) is contrary to the orderly implementation of legislative authorization shall have the right to have the issue reviewed by the Department of Management Services after a substantial interest hearing by the Division of Administrative Hearings ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees of the Legislature may advise the Department of Management Services and the Division of Administrative Hearings ~~Administration Commission~~ on the issue.

Section 46. Subsection (2) of section 216.192, Florida Statutes, is amended to read:

216.192 Release of appropriations; revision of budgets.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the plan for releases of funds appropriated to it is contrary to the approved operating budget shall have the right to have the issue reviewed by an administrative law judge of the Division of Administrative Hearings, who shall issue a final order on the issue ~~the Administration Commission which shall decide such issue by majority vote~~.

Section 47. Section 259.045, Florida Statutes, is amended

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to read:

259.045 Purchase of lands in areas of critical state concern; recommendations by department and land authorities.—Within 45 days after the designation of ~~Administration Commission designates~~ an area as an area of critical state concern under s. 380.05, and annually thereafter, the Department of Environmental Protection shall consider the recommendations of the state land planning agency pursuant to s. 380.05(1)(a) relating to purchase of lands within an area of critical state concern or lands outside an area of critical state concern that directly impact an area of critical state concern, which may include lands used to preserve and protect water supply, and shall make recommendations to the board with respect to the purchase of the fee or any lesser interest in any such lands that are:

(1) Environmentally endangered lands;

(2) Outdoor recreation lands;

(3) Lands that conserve sensitive habitat;

(4) Lands that protect, restore, or enhance nearshore water quality and fisheries;

(5) Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; or

(6) Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2) or if the parcel is wholly or partially, at the time of acquisition, on one of the board's approved acquisition lists

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established pursuant to this chapter. For the purposes of this subsection, if a parcel is estimated to be worth $500,000 or less and the director of the Division of State Lands finds that the cost of an outside appraisal is not justified, a comparable sales analysis, an appraisal prepared by the Division of State Lands, or other reasonably prudent procedures may be used by the Division of State Lands to estimate the value of the parcel, provided the public's interest is reasonably protected.

The department, a local government, a special district, or a land authority within an area of critical state concern may make recommendations with respect to additional purchases which were not included in the state land planning agency recommendations.

Section 48. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway

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Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 49. Paragraph (c) of subsection (7) of section 286.101, Florida Statutes, is amended to read:

286.101 Foreign gifts and contracts.—

(7)

(c) In addition to any fine assessed under paragraph (a), a final order determining a third or subsequent violation by an entity other than a state agency or political subdivision shall

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automatically disqualify the entity from eligibility for any grant or contract funded by a state agency or any political subdivision until such ineligibility is lifted by the Department of Management Services ~~Administration Commission~~ for good cause. The Department of Financial Services shall include and maintain an active and current list of such ineligible entities on the Internet website maintained under subsection (5).

Section 50. Paragraphs (b) and (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

288.975 Military base reuse plans.—

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(b) If resolution of the dispute cannot be achieved within 45 days, the petitioning parties and host local government may extend such dispute resolution for up to 45 days. If resolution of the dispute cannot be achieved with the above timeframes, the issues in dispute shall be submitted to the state land planning agency. If the issues stem from multiple petitions, the mediation shall be consolidated into a single proceeding. The state land planning agency shall have 45 days to hold informal hearings, if necessary, identify the issues in dispute, prepare a record of the proceedings, and provide recommended solutions to the parties. If the parties fail to implement the recommended solutions within 45 days, the state land planning agency must ~~shall~~ submit the matter to the Division of Administrative Hearings ~~Administration Commission~~ for final action. The report to the Division of Administrative Hearings must ~~Administration~~

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~~Commission shall~~ list each issue in dispute, describe the nature and basis for each dispute, identify the recommended solutions provided to the parties, and make recommendations for actions the Division of Administrative Hearings ~~Administration Commission~~ should take to resolve the disputed issues.

(d) Within 45 days after receiving the report from the state land planning agency, the Division of Administrative Hearings ~~Administration Commission~~ shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Division of Administrative Hearings ~~Administration Commission~~ shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Division of Administrative Hearings ~~Administration Commission~~ incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government must ~~shall~~ amend its plan within 60 days after the issuance of the order. A public hearing on such amendment or amendments pursuant to s. 163.3184(11)(b)1. is not required. The final order of the Division of Administrative Hearings ~~Administration Commission~~ is subject to appeal pursuant to s. 120.68. If the order of the Division of Administrative Hearings ~~Administration Commission~~ is appealed, the time for the local government to amend its plan must ~~shall~~ be tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 51. Effective July 1, 2022, subsection (7) of

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section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of the state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-year term. A vacancy occurring during the term of a member appointed under this paragraph shall be filled only for the remainder of the unexpired term. Members of the board appointed

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under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within the state. As an alternative to physical appearance, the Department of Transportation shall allow a person requesting a hearing to appear remotely before the board via communications media technology as authorized by chapter 28-109, Florida Administrative Code, regardless of the physical location of the board proceeding.

Section 52. Effective July 1, 2022, subsections (1) and (2) of section 320.275, Florida Statutes, are amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(1) AUTOMOBILE DEALERS INDUSTRY ADVISORY BOARD.—The Automobile Dealers Industry Advisory Board is created within the

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Department of Highway Safety and Motor Vehicles. The board shall make recommendations on proposed legislation, make recommendations on proposed rules and procedures, present licensed motor vehicle dealer industry issues to the department for its consideration, consider any matters relating to the motor vehicle dealer industry presented to it by the department, and submit an annual report to the secretary ~~executive director~~ of the department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the

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Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The secretary ~~executive director~~ shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.

2. The secretary ~~executive director~~ shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the department.

3. As the initial terms expire, the secretary ~~executive director~~ shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.

4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.

(c) The board shall meet at least two times per year. Meetings may be called by the chair of the board or by the

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secretary ~~executive director~~ of the department. One meeting shall be held in the fall of the year to review legislative proposals. The board shall conduct all meetings in accordance with applicable Florida Statutes and shall keep minutes of all meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations.

Section 53. Effective July 1, 2022, subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. Every member but two must be a doctor of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

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Section 54. Section 331.353, Florida Statutes, is amended to read:

331.353 Rulemaking authority.—~~The Administration Commission and~~ State agencies shall have authority to adopt rules containing procedures for review of spaceport plans and amendments and development orders for projects applied for or issued under this act.

Section 55. Paragraph (b) of subsection (5) of section 336.025, Florida Statutes, is amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(5)

(b) Any dispute as to the determination by the county of distribution proportions shall be resolved through an appeal to the Division of Administrative Hearings ~~Administration Commission~~ in accordance with procedures developed by the Division of Administrative Hearings ~~commission~~. Pending final disposition of such proceeding, the tax shall be collected pursuant to this section, and such funds shall be held in escrow by the clerk of the circuit court of the county until final disposition.

Section 56. Subsection (1) of section 337.243, Florida Statutes, is amended to read:

337.243 Notification of land use changes in designated transportation corridors.—

(1) If a local government designates a transportation corridor that includes a facility on the State Highway System in its local government comprehensive plan and has adopted a transportation corridor management ordinance, the local

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governmental entity shall give reasonable notice by certified mail to the department before ~~prior to~~ approving any substantial zoning change or subdivision plat changes or granting of a building permit or development permit, as defined in s. 380.031(3) ~~s. 380.031(4)~~, for land use or the erection, alteration, or moving of a building for property within the designated transportation corridor which would substantially impair the viability of the corridor for future transportation uses. This notification requirement does ~~shall~~ not apply to any routine maintenance or emergency repairs to existing structures. Upon notification, the department shall determine whether to purchase the property affected or to initiate eminent domain proceedings. The department's determination does ~~shall~~ not affect the granting or denial of the permit by the local government. The local government may ~~shall~~ not be liable to the department for failure to make notification to the department pursuant to this section.

Section 57. Subsections (3) and (4) of section 369.305, Florida Statutes, are amended to read:

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(3) If the department determines that the local comprehensive plan and land development regulations as amended or supplemented comply with ~~the provisions of~~ subsection (1), the department must ~~shall~~ petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to confirm its determination. If the department determines that the amendments and any new land development regulations that a county has adopted do not

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meet the criteria established in subsection (1), or the department receives no amendments or new land development regulations and determines that the county's existing local comprehensive plan and land development regulations do not comply with ~~the provisions of~~ subsection (1), the department must ~~shall~~ petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to order the county to adopt such amendments to its local comprehensive plan or land development regulations or such new land development regulations as it deems necessary to meet the criteria in subsection (1). A determination or petition made by the department pursuant to this subsection is ~~shall~~ not ~~be~~ final agency action.

(4) The Department of Economic Opportunity ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission,~~ shall render an order on the petition. Any local government comprehensive plan amendments directly related to the requirements of this subsection and subsections (1), (2), and (3) may be initiated by a local planning agency and considered by the local governing body without regard to statutory or local ordinance limitations on the frequency of consideration of amendments to local comprehensive plans.

Section 58. Section 373.114, Florida Statutes, is amended to read:

373.114 ~~Land and Water Adjudicatory Commission;~~ Review of district rules and orders; department review of district rules.—

(1) Except as provided in subsection (2), the department has ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission, have~~ the exclusive authority to review any order or rule of a water management district, other than a

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rule relating to an internal procedure of the district or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57 or a rule that has been adopted after issuance of a final order resulting from an evidentiary hearing held under s. 120.56, to ensure consistency with the provisions and purposes of this chapter. Subsequent to the legislative ratification of the delineation methodology pursuant to s. 373.421(1), this subsection also shall apply to an order of ~~the department, or~~ a local government exercising delegated authority, pursuant to ss. 373.403-373.443, except an order pertaining to activities or operations subject to conceptual plan approval pursuant to chapter 378 or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57.

(a) Such review may be initiated by the department or by a party to the proceeding below by filing a request for review with the department ~~Land and Water Adjudicatory Commission~~ and serving a copy on ~~the department and on~~ any person named in the rule or order within 20 days after adoption of the rule or the rendering of the order. For the purposes of this section, the term "party" means any affected person who submitted oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the rule or order that are cognizable within the scope of the provisions and purposes of this chapter. In order for the department ~~commission~~ to accept a request for review initiated by a party below, with regard to a specific order, the department ~~three members of the commission~~ must determine on the basis of the record below that the activity authorized by the order would substantially affect natural resources of statewide

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or regional significance. Review of an order may also be accepted if the department determines ~~three members of the commission determine~~ that the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from the standpoint of agency precedent. The party requesting the department ~~commission~~ to review an order must allege with particularity, and the department ~~commission~~ must find, that:

1. The order is in conflict with statutory requirements; or

2. The order is in conflict with the requirements of a duly adopted rule.

(b) Review by the department ~~Land and Water Adjudicatory Commission~~ is appellate in nature and shall be based solely on the record below unless the department ~~commission~~ determines that a remand for a formal evidentiary proceeding is necessary to develop additional findings of fact. If there is no evidentiary administrative proceeding resulting from a remand or referral for findings of fact by the department ~~commission~~, then the facts contained in the proposed agency action or proposed water management district action, including any technical staff report, shall be deemed undisputed. The matter shall be heard by the department ~~commission~~ not more than 60 days after receipt of the request for review, unless waived by the parties; provided, however, such time limit shall be tolled by a referral or remand pursuant to this paragraph. The department ~~commission~~ may refer a request for review to the Division of Administrative Hearings for the production of findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that

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supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Alternatively, the department ~~commission~~ may remand the matter to the agency below for additional findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Such proceedings must be conducted and the findings transmitted to the department ~~commission~~ within 90 days after ~~of~~ the remand or referral.

(c) If the department ~~Land and Water Adjudicatory Commission~~ determines that a rule of a water management district is not consistent with the provisions and purposes of this chapter, it may require the water management district to initiate rulemaking proceedings to amend or repeal the rule. If the department ~~commission~~ determines that an order is not consistent with the provisions and purposes of this chapter, the department ~~commission~~ may rescind or modify the order or remand the proceeding for further action consistent with the order of the department ~~Land and Water Adjudicatory Commission~~ only if the department ~~commission~~ determines that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. In the case of an order which does not itself substantially affect natural resources of statewide or regional significance, but which raises issues of policy that have regional or statewide significance from the standpoint of agency precedent, the department ~~commission~~ may direct the district to initiate

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rulemaking to amend its rules to assure that future actions are consistent with the provisions and purposes of this chapter without modifying the order.

(d) In a review under this section of a construction permit issued pursuant to a conceptual permit under part IV, which conceptual permit is issued after July 1, 1993, a party to the review may not raise an issue which was or could have been raised in a review of the conceptual permit under this section.

(e) A request for review under this section may ~~shall~~ not be a precondition to the seeking of judicial review pursuant to s. 120.68 or the seeking of an administrative determination of rule validity pursuant to s. 120.56.

(f) The department ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules to set forth its procedures for reviewing an order or rule of a water management district consistent with ~~the provisions of~~ this section.

(g) For the purpose of this section, it shall be presumed that activity authorized by an order will not affect resources of statewide or regional significance if the proposed activity:

1. Occupies an area less than 10 acres in size, and

2. Does not create impervious surfaces greater than 2 acres in size, and

3. Is not located within 550 feet of the shoreline of a named body of water designated as Outstanding Florida Waters, and

4. Does not adversely affect threatened or endangered species.

This paragraph may ~~shall~~ not operate to hold that any activity

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that exceeds these limits is presumed to affect resources of statewide or regional significance. The determination of whether an activity will substantially affect resources of statewide or regional significance shall be made on a case-by-case basis, based upon facts contained in the record below.

(2) The department shall have the exclusive authority to review rules of the water management districts, other than rules relating to internal management of the districts, to ensure consistency with the water resource implementation rule as set forth in the rules of the department. Within 30 days after adoption or revision of any water management district rule, the department shall initiate a review of such rule pursuant to this section.

(a) Within 30 days after adoption of a rule, any affected person may request that a hearing be held before the secretary of the department, at which hearing evidence and argument may be presented relating to the consistency of the rule with the water resource implementation rule, by filing a request for hearing with the department and serving a copy on the water management district.

(b) If the department determines that the rule is inconsistent with the water resource implementation rule, it may order the water management district to initiate rulemaking proceedings to amend or repeal the rule.

(c) An order of the department requiring amendment or repeal of a rule may be appealed pursuant to s. 120.68 ~~to the Land and Water Adjudicatory Commission~~ by the water management district or any other party to the proceeding before the secretary.

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Section 59. Paragraph (c) of subsection (3) of section 373.139, Florida Statutes, is amended to read:

373.139 Acquisition of real property.—

(3) The initial 5-year work plan and any subsequent modifications or additions thereto shall be adopted by each water management district after a public hearing. Each water management district shall provide at least 14 days' advance notice of the hearing date and shall separately notify each county commission within which a proposed work plan project or project modification or addition is located of the hearing date.

(c) The Secretary of Environmental Protection shall release acquisition moneys from the appropriate account or trust fund to a district following receipt of a resolution adopted by the governing board identifying the lands being acquired and certifying that such acquisition is consistent with the 5-year work plan of acquisition and other provisions of this section. The governing board also shall provide to the Secretary of Environmental Protection a copy of all certified appraisals used to determine the value of the land to be purchased. Each parcel to be acquired must have at least one appraisal. Two appraisals are required when the estimated value of the parcel exceeds $1 million. However, when both appraisals exceed $1 million and differ significantly, a third appraisal may be obtained. If the purchase price is greater than the appraisal price, the governing board shall submit written justification for the increased price. The Secretary of Environmental Protection may withhold moneys for any purchase that is not consistent with the 5-year plan or the intent of this section or that is in excess of appraised value. The governing board may appeal any denial to

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the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission pursuant to s. 373.114~~.

Section 60. Subsection (1) of section 373.217, Florida Statutes, is amended to read:

373.217 Superseded laws and regulations.—

(1) It is the intent of the Legislature to provide a means whereby reasonable programs for the issuance of permits authorizing the consumptive use of particular quantities of water may be authorized by the Department of Environmental Protection, subject to judicial review and also subject to review ~~by the Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission~~ as provided in s. 373.114.

Section 61. Subsections (11) and (13) of section 373.2295, Florida Statutes, are amended to read:

373.2295 Interdistrict transfers of groundwater.—

(11) If, after the final order of the department or final agency action under this section, the proposed use of the site designated in the application for groundwater production, treatment, or transmission facilities does not conform with the existing zoning ordinances, a rezoning application may be submitted. If local authorities deny the application for rezoning, the applicant may appeal this decision to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~, which shall authorize a variance or nonconforming use to the existing comprehensive plan and zoning ordinances, unless the Department of Economic Opportunity ~~commission~~ determines after notice and hearing that such variance or nonconforming use is contrary to the public interest.

(13) When a consumptive use permit under this section is

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granted for water use beyond the boundaries of a local government from which or through which the groundwater is withdrawn or transferred and a local government denies a permit required under chapter 125 or chapter 153 for a facility or any infrastructure which produces, treats, transmits, or distributes such groundwater, the person or unit of government applying for the permit under chapter 125 or chapter 153 may appeal the denial to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~. The Department of Economic Opportunity ~~commission~~ shall review the local government action for consistency with this chapter and the interdistrict groundwater transfer permit and may reverse, modify, or approve the local government's action.

Section 62. Paragraph (b) of subsection (1) of section 373.4275, Florida Statutes, is amended to read:

373.4275 Review of consolidated orders.—

(1) Beginning on the effective date of the rules adopted under s. 373.427(1), review of any consolidated order rendered pursuant to s. 373.427(1) shall be governed by the provisions of s. 373.114(1). However, the term "party" shall mean any person who participated as a party in a proceeding under ss. 120.569 and 120.57 on the concurrently reviewed authorizations, permits, waivers, variances, or approvals, or any affected person who submitted to the department, water management district, or board of trustees oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the authorization, permit, waiver, variance, or approval, provided that such testimony was cognizable within the scope of this chapter or the applicable provisions of chapter

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161, chapter 253, or chapter 258 when the consolidated notice of intent includes an authorization, permit, waiver, variance, or approval under those chapters. In such cases, the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161, chapter 253, or chapter 258 when the consolidated order includes an authorization, permit, waiver, variance, or approval under those chapters. If the consolidated order subject to review includes approval or denial of proprietary authorization to use submerged lands on which the board of trustees has previously acted, as described in s. 373.427(2), the scope of review under this section shall not encompass such proprietary decision, but the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161 when the consolidated order includes a permit, waiver, or approval under that chapter.

(b) If a consolidated order includes proprietary authorization under chapter 253 or chapter 258 to use submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund for an activity for which the authority has been delegated to take final agency action without action of the board of trustees, the following additional provisions and exceptions to s. 373.114(1) apply:

1. The Governor and Cabinet shall sit ~~concurrently~~ as ~~the Land and Water Adjudicatory Commission and~~ the Board of Trustees of the Internal Improvement Trust Fund in exercising the exclusive authority to review the order;

2. The review may also be initiated by the Governor or any member of the Cabinet within 20 days after the rendering of the order in which case the other provisions of s. 373.114(1)(a)

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regarding acceptance of a request for review do not apply; and

3. If the Governor and Cabinet find that an authorization to use submerged lands is not consistent with chapter 253 or chapter 258, any authorization, permit, waiver, or approval authorized or granted by the consolidated order must be rescinded or modified or the proceeding must be remanded for further action consistent with the order issued under this section.

Section 63. Subsection (6) of section 373.703, Florida Statutes, is amended to read:

373.703 Water production; general powers and duties.—In the performance of, and in conjunction with, its other powers and duties, the governing board of a water management district existing pursuant to this chapter:

(6) May provide water and financial assistance to regional water supply authorities, but may not provide water to counties and municipalities which are located within the area of such authority without the specific approval of the authority or, in the event of the authority's disapproval, the approval of the Governor and Cabinet ~~sitting as the Land and Water Adjudicatory Commission~~. The district may supply water at rates and upon terms mutually agreed to by the parties or, if they do not agree, as set by the governing board and specifically approved by the <u>department</u> ~~Governor and Cabinet sitting as the Land and Water Adjudicatory Commission~~.

Section 64. Paragraph (c) of subsection (1) of section 377.2425, Florida Statutes, is amended to read:

377.2425 Manner of providing security for geophysical exploration, drilling, and production.—

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(1) Prior to granting a permit to conduct geophysical operations; drilling of exploratory, injection, or production wells; producing oil and gas from a wellhead; or transporting oil and gas through a field-gathering system, the department shall require the applicant or operator to provide surety that these operations will be conducted in a safe and environmentally compatible manner.

(c) An applicant for a drilling or operating permit for operations planned in coastal waters that by their nature warrant greater surety shall provide surety only in accordance with paragraph (a), or similar proof of financial responsibility other than as provided in paragraph (b). For all such applications, including applications pending at the effective date of this act and notwithstanding ~~the provisions of~~ paragraph (b), ~~the Governor and Cabinet in their capacity as the Administration Commission, at the recommendation of~~ the Department of Environmental Protection~~,~~ shall set a reasonable amount of surety required under this subsection. The surety amount shall be based on the projected cleanup costs and natural resources damages resulting from a maximum oil spill and adverse hydrographic and atmospheric conditions that would tend to transport the oil into environmentally sensitive areas, as determined by the Department of Environmental Protection.

Section 65. Subsection (1) of section 380.031, Florida Statutes, is amended to read:

380.031 Definitions.—As used in this chapter:

~~(1) "Administration commission" or "commission" means the Governor and the Cabinet; and for purposes of this chapter the commission shall act on a simple majority.~~

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Section 66. Paragraph (b) of subsection (2) of section 380.032, Florida Statutes, is amended to read:

380.032 State land planning agency; powers and duties.—The state land planning agency shall have the power and the duty to:

(2)

(b) Within 20 days following adoption, any substantially affected party may initiate review of any rule adopted by the state land planning agency interpreting the guidelines and standards by filing a request for review with the Division of Administrative Hearings ~~Administration Commission~~ and serving a copy on the state land planning agency. Filing a request for review shall stay the effectiveness of the rule pending a decision by the Division of Administrative Hearings ~~Administration Commission~~. Within 45 days following receipt of a request for review, the Division of Administrative Hearings ~~commission~~ shall either reject the rule or approve the rule, with or without modification.

Section 67. Subsections (3), (4), and (5) of section 380.045, Florida Statutes, are amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(3) Not later than 12 months after its appointment by the Governor, the committee shall either adopt a proposed voluntary resource planning and management program for the area under study or recommend that a voluntary resource planning and management program not be adopted. The proposed voluntary resource planning and management program shall contain the committee findings with respect to problems that endanger those resources, facilities, and areas described in s. 380.05(2) and

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shall contain detailed recommendations for state, regional, and local governmental actions necessary to resolve current and prevent future problems identified by the committee. A major objective of the proposed voluntary resource planning and management program shall be the effective coordination of state, regional, and local planning; program implementation; and regulatory activities for comprehensive resource management. The committee shall submit the proposed voluntary resource planning and management program to the head of the state land planning agency at the Department of Economic Opportunity~~, who shall transmit the program along with the recommendations of the agency for monitoring and enforcing the program, as well as any other recommendations deemed appropriate, to the Administration Commission~~.

(4) The Department of Economic Opportunity ~~Administration Commission~~ shall by resolution approve, approve as modified, or reject the proposed voluntary resource planning and management program and state land planning agency recommendations; and the Department of Economic Opportunity ~~Administration Commission~~ shall request each state or regional agency that is responsible for implementing a portion of an approved program to conduct its programs and regulatory activities in a manner consistent with the approved program. Each state and regional agency involved in implementing the program shall cooperate to the maximum extent possible in ensuring that the program is given full effect.

(5) The state land planning agency shall monitor ~~report to the Administration Commission within 12 months of the approval of the program by the commission concerning~~ the implementation and the effects of the approved voluntary resource planning and

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management program, which. ~~The report~~ shall include, but is ~~shall~~ not ~~be~~ limited to:

(a) An assessment of state agency compliance with the program, including the degree to which the program recommendations have been integrated into agency planning, program implementation, regulatory activities, and rules;

(b) An assessment of the compliance by each affected local government with the program;

(c) An evaluation of state, regional, and local monitoring and enforcement activities and recommendations for improving such activities; and

(d) A determination ~~recommendation~~ as to whether ~~or not~~ all or any portion of the study area should be designated an area of critical state concern pursuant to s. 380.05.

The state land planning agency may engage in additional monitoring ~~make such other reports to the commission~~ as it deems necessary, including determining ~~recommending~~ that all or any portion of the study area be designated an area of critical state concern because of special circumstances in the study area or in the implementation of the approved voluntary resource planning and management program.

Section 68. Subsections (1), (3), (4), (5), (8) through (12), (15), and (22) of section 380.05, Florida Statutes, are amended to read:

380.05 Areas of critical state concern.—

(1)(a) The state land planning agency may from time to time determine ~~recommend to the Administration Commission~~ specific areas of critical state concern. In its determination

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~~recommendation~~, the agency shall include recommendations and findings with respect to the purchase of lands situated within the boundaries of the proposed area as environmentally endangered lands and outdoor recreation lands under the Land Conservation Program. The agency also shall include any report or recommendation of a resource planning and management committee appointed pursuant to s. 380.045; the dangers that would result from uncontrolled or inadequate development of the area and the advantages that would be achieved from the development of the area in a coordinated manner; a detailed boundary description of the proposed area; specific principles for guiding development within the area; an inventory of lands owned by the state, federal, county, and municipal governments within the proposed area; and a list of the state agencies with programs that affect the purpose of the designation. The agency shall recommend actions which the local government and state and regional agencies must accomplish in order to implement the principles for guiding development. These actions may include, but need not be limited to, revisions of the local comprehensive plan and adoption of land development regulations, density requirements, and special permitting requirements.

(b) Within 45 days following completion of its determination ~~receipt of a recommendation from the agency~~, the Department of Economic Opportunity ~~commission~~ shall either reject the determination ~~recommendation~~ as tendered or adopt the determination ~~recommendation~~ with or without modification and by rule designate the area of critical state concern. Any rule that designates an area of critical state concern must include:

1. A detailed boundary description of the area.

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2. Principles for guiding development.

3. A clear statement of the purpose for the designation.

4. A precise checklist of actions which, when implemented, will result in repeal of the designation by the Department of Economic Opportunity ~~Administration Commission~~, and the agencies or entities responsible for taking those actions.

5. A list of those issues or programs for which mechanisms must be in place to assure ongoing implementation of the actions taken to result in repeal of the designation.

6. A list of the state agencies which, in addition to those specified in subsection (22), administer programs that affect the purpose of the designation.

The rule shall become effective 20 days after being filed with the Secretary of State, except that an emergency rule adopted by the Department of Economic Opportunity ~~commission~~ and designating an area of critical state concern shall become effective immediately on being filed. Any rule adopted pursuant to this paragraph shall be presented to the Legislature for review pursuant to paragraph (c). A statement of estimated regulatory costs prepared pursuant to s. 120.541 may ~~shall~~ not be a ground for a challenge of the rule; however, a landowner may ~~shall~~ not be precluded from using adverse economic results as grounds for challenge. Such principles for guiding development shall apply to any development undertaken subsequent to the legislative review pursuant to paragraph (c) of the designation of the area of critical state concern with or without modification but before ~~prior to~~ the adoption of land development rules and regulations or a local comprehensive plan

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for the critical area pursuant to subsections (6) and (8). ~~No~~ Boundaries or principles for guiding development may not ~~shall~~ be adopted without a specific finding by the Department of Economic Opportunity ~~commission~~ that the boundaries or principles are consistent with the purpose of the designation. The Department of Economic Opportunity ~~commission~~ is not authorized to adopt any rule that would provide for a moratorium on development in any area of critical state concern.

(c) A rule adopted by the Department of Economic Opportunity ~~commission~~ pursuant to paragraph (b) designating an area of critical state concern and principles for guiding development shall be submitted to the President of the Senate and the Speaker of the House of Representatives for review no later than 30 days before ~~prior to~~ the next regular session of the Legislature. The Legislature may reject, modify, or take no action relative to the adopted rule. In its deliberations, the Legislature may consider, among other factors, whether a resource planning and management committee has established a program pursuant to s. 380.045. In addition to any other data and information required pursuant to this chapter, each rule presented to the Legislature shall include a detailed legal description of the boundary of the area of critical state concern, proposed principles for guiding development, and a detailed statement of how the area meets the criteria for designation as provided in subsection (2).

(d) If, after the repeal of the boundary designation of an area of critical state concern pursuant to subsection (15), the state land planning agency determines that the administration of the local land development regulations or a local comprehensive

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plan within a formerly designated area is inadequate to protect the former area of critical state concern, then the state land planning agency may redesignate it ~~recommend to the commission that the area be redesignated~~ as an area of critical state concern. ~~Within 45 days following the receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the same with or without modification.~~ The Department of Economic Opportunity ~~commission~~ may, by rule, make such redesignation effective immediately, at which time the boundaries, regulations, and plans in effect at the time the previous designation was repealed shall be reinstated. Within 90 days after ~~of~~ such redesignation, the Department of Economic Opportunity ~~commission~~ shall begin rulemaking procedures to designate the area an area of critical state concern under paragraph (b).

(3) Each regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. Each regional planning agency shall solicit from the local governments within its jurisdiction suggestions as to areas to be recommended. A local government in an area where there is no regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. If the state land planning agency does not recommend to the Department of Economic Opportunity ~~commission~~ as an area of critical state concern an area substantially similar to one that has been

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recommended, it must ~~shall~~ respond in writing as to its reasons therefor.

(4) Before making a determination ~~Prior to submitting any recommendation to the commission~~ under subsection (1), the state land planning agency shall give notice to any committee appointed pursuant to s. 380.045 and to all local governments and regional planning agencies that include within their boundaries any part of any area of critical state concern proposed to be designated by the rule, in addition to any notice otherwise required under chapter 120.

(5) After the Department of Economic Opportunity ~~commission~~ adopts a rule designating the boundaries of, and principles for guiding development in, an area of critical state concern and within 180 days after ~~of~~ such adoption, the local government having jurisdiction may submit to the state land planning agency its existing land development regulations and local comprehensive plan for the area, if any, or shall prepare, adopt, and submit the new or modified regulations and plan, the local government taking into consideration the principles set forth in the rule designating the area.

(8) If any local government fails to submit land development regulations or a local comprehensive plan, or if the regulations or plan or plan amendment submitted do not comply with the principles for guiding development set out in the rule designating the area of critical state concern, within 120 days after the adoption of the rule designating an area of critical state concern, or within 120 days after the issuance of a recommended order on the compliance of the plan or plan amendment pursuant to s. 163.3184, or within 120 days after the

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effective date of an order rejecting a proposed land development regulation, the state land planning agency shall determine ~~submit to the commission recommended~~ land development regulations and a local comprehensive plan or portions thereof, with or without modification, applicable to that local government's portion of the area of critical state concern. ~~Within 45 days following receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the recommendation with or without modification, and by rule establish land development regulations and a local comprehensive plan applicable to that local government's portion of the area of critical state concern.~~ However, such rule may ~~shall~~ not become effective before ~~prior to~~ legislative review of an area of critical state concern pursuant to paragraph (1)(c). In the rule, the Department of Economic Opportunity ~~commission~~ shall specify the extent to which its land development regulations, plans, or plan amendments will supersede, or will be supplementary to, local land development regulations and plans. Notice of any proposed rule issued under this section shall be given to all local governments and regional planning agencies in the area of critical state concern, in addition to any other notice required under chapter 120. The land development regulations and local comprehensive plan adopted by the Department of Economic Opportunity ~~commission~~ under this section may include any type of regulation and plan that could have been adopted by the local government. Any land development regulations or local comprehensive plan or plan amendments adopted by the Department of Economic Opportunity ~~commission~~ under this section shall be

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administered by the local government as part of, or in the absence of, the local land development regulations and local comprehensive plan.

(9) If, within 12 months after the Department of Economic Opportunity ~~commission~~ adopts a rule designating an area of critical state concern, land development regulations or local comprehensive plans for the area have not become effective under either subsection (6) or subsection (8), the designation of the area as an area of critical state concern terminates. No part of such area may be recommended for redesignation until at least 12 months after the date the designation terminates pursuant to this subsection. The running of the 12-month period subsequent to the initial designation shall be tolled upon challenge pursuant to the provisions of chapter 120 to either the designation of the area of critical state concern or the adoption of land development regulations and local comprehensive plans under subsection (6) or subsection (8).

(10) At any time after the adoption of land development regulations and plans by the Department of Economic Opportunity ~~commission~~ under this section, a local government may propose land development regulations or a local comprehensive plan which, if approved by the state land planning agency as provided in subsection (6), will supersede any regulations or plans adopted under subsection (8).

(11) Land development regulations or a local comprehensive plan submitted by a local government in an area of critical state concern and approved pursuant to subsection (6) may be amended or rescinded by the local government, but the amendment or rescission becomes effective only upon approval thereof by

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the state land planning agency. The state land planning agency shall either approve or reject the requested changes within 60 days after ~~of~~ receipt thereof. Land development regulations or local comprehensive plans for an area of critical state concern adopted by the Department of Economic Opportunity ~~commission~~ under subsection (8) may be amended or rescinded by rule by the Department of Economic Opportunity ~~commission~~ in the same manner as for original adoption.

(12) Upon the request of a substantially interested person pursuant to s. 120.54(7), a local government or regional planning agency within the designated area, or the state land planning agency, the Department of Economic Opportunity ~~commission~~ may by rule remove, contract, or expand any designated boundary. Boundary expansions are subject to legislative review pursuant to paragraph (1)(c). A ~~No~~ boundary may not be modified without a specific finding by the Department of Economic Opportunity ~~commission~~ that such changes are consistent with necessary resource protection. The total boundaries of an entire area of critical state concern may ~~shall~~ not be removed by the Department of Economic Opportunity ~~commission~~ unless a minimum time of 1 year has elapsed from the adoption of regulations and a local comprehensive plan pursuant to subsection (1), subsection (6), subsection (8), or subsection (10). Before totally removing such boundaries, the Department of Economic Opportunity ~~commission~~ shall make findings that the regulations and plans adopted pursuant to subsection (1), subsection (6), subsection (8), or subsection (10) are being effectively implemented by local governments within the area of critical state concern to protect the area and that adopted

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local government comprehensive plans within the area have been conformed to principles for guiding development for the area.

(15) Any rule adopted pursuant to this section designating the boundaries of an area of critical state concern and the principles for guiding development therein shall be repealed by the Department of Economic Opportunity ~~commission~~ no earlier than 12 months and no later than 3 years after approval by the state land planning agency or adoption by the Department of Economic Opportunity ~~commission~~ of all land development regulations and local comprehensive plans pursuant to subsection (6), subsection (8), or subsection (10), and the implementation of all the actions listed in the designation rule for repeal of the designation. Any repeal pursuant to this subsection may be limited to any portion of the area of critical state concern. The repeal must be contingent upon approval by the state land planning agency of local land development regulations and plans pursuant to subsection (6) or subsection (10) and upon such regulations and plans being effective for a period of 12 months.

(22) All state agencies with rulemaking authority for programs that affect a designated area of critical state concern shall review those programs for consistency with the purpose of the designation and principles for guiding development, and shall adopt specific permitting standards and criteria applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.

(a)1. Within 6 months after the effective date of the rule or statute that designates an area of critical state concern, and at any time thereafter as directed by the Department of Economic Opportunity ~~Administration Commission~~, the Department

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of Environmental Protection, the Department of Health, the water management districts with jurisdiction over any portion of the area of critical state concern, and any other state agency specified in the designation rule, shall each submit a report to the Department of Economic Opportunity ~~Administration Commission, and a copy of the report to the state land planning agency~~. The report must ~~shall~~ evaluate the effect of the reporting agency's programs upon the purpose of the designation.

2. If different permitting standards or criteria, or other changes to the program, are necessary in order to further the purpose of the designation, the report must ~~shall~~ recommend rules which further that purpose and which are consistent with the principles for guiding development. The report must ~~shall~~ explain and justify the reasons for any different permitting standards or criteria that may be recommended. The Department of Economic Opportunity ~~commission~~ shall reject the agency's recommendation, or accept it with or without modification and direct the agency to adopt rules, including any changes. Any rule adopted pursuant to this paragraph shall be consistent with the principles for guiding development, and shall apply only within the boundary of the designated area. The agency shall file a copy of the adopted rule with the Department of Economic Opportunity ~~Administration Commission~~ and the state land planning agency.

3. If statutory changes are required in order to implement the permitting standards or criteria that are necessary to further the purpose of the designation, the report must ~~shall~~ recommend statutory amendments. The Department of Economic Opportunity ~~Administration Commission~~ shall submit any report

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that recommends statutory amendments to the President of the Senate and the Speaker of the House of Representatives, together with the Department of Economic Opportunity's ~~Administration Commission's~~ recommendation on the proposed amendments.

(b) The Department of Economic Opportunity ~~Administration Commission~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the provisions of~~ this subsection.

Section 69. Subsections (3) and (4) of section 380.055, Florida Statutes, are amended to read:

380.055 Big Cypress Area.—

(3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The "Big Cypress Area," as defined in this subsection, is hereby designated as an area of critical state concern. "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Freshwater Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the Board of Trustees of the Internal Improvement Trust Fund, which is the area proposed as the Federal Big Cypress National Freshwater Reserve, Florida, and that area described as follows: Sections 1, 2, 11, 12 and 13 in Township 49 South, Range 31 East; and Township 49 South, Range 32 East, less Sections 19, 30 and 31; and Township 49 South, Range 33 East; and Township 49 South, Range 34 East; and Sections 1 through 5 and 10 through 14 in Township 50 South, Range 32 East; and Sections 1 through 18 and 20 through 25 in Township 50 South, Range 33 East; and Township 50 South, Range

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34 East, less Section 31; and Sections 1 and 2 in Township 51 South, Range 34 East; All in Collier County, Florida, which described area shall be known as the "Big Cypress National Preserve Addition, Florida," together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of South Florida, or the freshwater aquifer of South Florida, the definitive boundaries of which shall be set in the following manner: Within 120 days following the effective date of this act, the state land planning agency shall determine ~~recommend~~ definitive boundaries for the Big Cypress Area ~~to the Administration Commission,~~ after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the area proposed to be included in the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within 45 days after the conclusion of such hearings ~~following receipt of the recommended boundaries~~, the Department of Economic Opportunity ~~Administration Commission~~ shall adopt, modify, or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

(4) ADOPTION OF LAND DEVELOPMENT REGULATIONS.—The provisions of s. 380.05(5)-(11), (17), and (20) do ~~shall~~ not apply to the Big Cypress Area. All other provisions of this chapter shall apply to the Big Cypress Area. Any provision of this chapter to the contrary notwithstanding, the state land planning agency has the right, and its duty shall be, to determine the ~~submit recommended~~ land development regulations applicable to the Big Cypress Area ~~to the Administration~~

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~~Commission~~ concurrent with the boundaries determined ~~recommended~~ pursuant to subsection (3). The Department of Economic Opportunity may adopt such determination ~~Administration Commission shall either reject the recommendation as tendered or adopt the same~~ by rule with or without modification. The Department of Economic Opportunity ~~commission~~ shall specify the extent to which regulations adopted pursuant to this section supersede local land development regulations.

Section 70. Subsection (4) and paragraph (b) of subsection (9) of section 380.0552, Florida Statutes, are amended to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—

(a) The designation of the Florida Keys Area as an area of critical state concern under this section may be recommended for removal upon fulfilling the legislative intent under subsection (2) and completion of all the work program tasks specified in rules of the Department of Economic Opportunity ~~Administration Commission~~.

(b) ~~Beginning November 30, 2010,~~ The state land planning agency shall annually submit a written report to the Governor ~~Administration Commission~~ describing the progress of the Florida Keys Area toward completing the work program tasks specified in its ~~commission~~ rules. The state land planning agency shall recommend removing the Florida Keys Area from being designated as an area of critical state concern to the Governor ~~commission~~ if it determines that:

1. All of the work program tasks have been completed, including construction of, operation of, and connection to

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central wastewater management facilities pursuant to s. 403.086(11) and upgrade of onsite sewage treatment and disposal systems pursuant to s. 381.0065(4)(l);

2. All local comprehensive plans and land development regulations and the administration of such plans and regulations are adequate to protect the Florida Keys Area, fulfill the legislative intent specified in subsection (2), and are consistent with and further the principles guiding development; and

3. A local government has adopted a resolution at a public hearing recommending the removal of the designation.

(c) After receipt of the state land planning agency report and recommendation, the Governor ~~Administration Commission~~ shall determine whether the requirements have been fulfilled and may remove the designation of the Florida Keys as an area of critical state concern. If the Governor ~~commission~~ removes the designation, the Department of Economic Opportunity must ~~it shall~~ initiate rulemaking to repeal any rules relating to such designation within 60 days. If, after receipt of the state land planning agency's report and recommendation, the Governor ~~commission~~ finds that the requirements for recommending removal of designation have not been met, the Department of Economic Opportunity must ~~commission shall~~ provide a written report to the local governments within 30 days after the Governor makes ~~making~~ such a finding detailing the tasks that must be completed by the local government.

(d) The Governor's ~~Administration Commission's~~ determination concerning the removal of the designation of the Florida Keys as an area of critical state concern may be

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reviewed pursuant to chapter 120. All proceedings shall be conducted by the Division of Administrative Hearings and must be initiated within 30 days after the Governor ~~commission~~ issues his or her ~~its~~ determination.

(e) After removal of the designation of the Florida Keys as an area of critical state concern, the state land planning agency shall review proposed local comprehensive plans, and any amendments to existing comprehensive plans, which are applicable to the Florida Keys Area, the boundaries of which were described in chapter 28-29, Florida Administrative Code, as of January 1, 2006, for compliance as defined in s. 163.3184. All procedures and penalties described in s. 163.3184 apply to the review conducted pursuant to this paragraph.

(f) The Department of Economic Opportunity ~~Administration Commission~~ may adopt rules or revise existing rules as necessary to administer this subsection.

(9) MODIFICATION TO PLANS AND REGULATIONS.—

(b) The state land planning agency, after consulting with the appropriate local government, may, no more than once per year, recommend to the Governor ~~Administration Commission~~ the enactment, amendment, or rescission of a land development regulation or element of a local comprehensive plan. Within 45 days following the receipt of such recommendation, the Governor ~~commission~~ shall reject the recommendation, or accept it with or without modification and the Department of Economic Opportunity shall adopt it by rule, including any changes. Such local development regulation or plan must be in compliance with the principles for guiding development.

Section 71. Subsections (4) and (9) and paragraph (f) of

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subsection (10) of section 380.0555, Florida Statutes, are amended to read:

380.0555 Apalachicola Bay Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—The state land planning agency may recommend to the Governor ~~Administration Commission~~ the removal of the designation from all or part of the area specified in subsection (3), if it determines that all local land development regulations and local comprehensive plans and the administration of such regulations and plans are adequate to protect the Apalachicola Bay Area, continue to carry out the legislative intent set forth in subsection (2), and are in compliance with the principles for guiding development set forth in subsection (7). If the Governor ~~Administration Commission~~ concurs with the recommendations of the state land planning agency to remove any area from the designation, the Department of Economic Opportunity must ~~it shall~~, within 45 days after receipt of the recommendation, initiate rulemaking to remove the designation. The state land planning agency shall make recommendations to the Governor ~~Administration Commission~~ annually.

(9) MODIFICATION TO PLANS AND REGULATIONS.—Any land development regulation or element of a local comprehensive plan in the Apalachicola Bay Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon the approval thereof by the state land planning agency. The state land planning agency shall review the proposed change to determine if it complies with the principles for guiding development specified

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in subsection (7) and must approve or reject the requested change as provided in s. 380.05. Further, the state land planning agency, after consulting with the appropriate local government, may, from time to time, determine ~~recommend~~ the enactment, amendment, or rescission of a land development regulation or element of a comprehensive plan. Within 45 days following the determination ~~receipt of such recommendation~~ by the state land planning agency or enactment, amendment, or rescission by a local government, the Department of Economic Opportunity ~~commission~~ shall reject the determination ~~recommendation~~, enactment, amendment, or rescission or accept it with or without modification and adopt, by rule, any changes. Any such local land development regulation or comprehensive plan or part of such regulation or plan may be adopted by the Department of Economic Opportunity ~~commission~~ if it finds that it is in compliance with the principles for guiding development.

(10) REQUIREMENTS; LOCAL GOVERNMENTS.—

(f) Franklin County and the municipalities within it shall, beginning 12 months from June 18, 1985, prepare semiannual reports on the implementation of paragraphs (b)-(e) on the environmental status of the Apalachicola Bay Area. The state land planning agency may prescribe additional detailed information required to be reported. Each report shall be delivered to the resource planning and management committee and the state land planning agency for review and recommendations. The state land planning agency shall review each report and consider such reports when making a determination ~~recommendations to the Administration Commission~~ pursuant to subsection (9).

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Section 72. Subsection (2) and paragraph (b) of subsection (11) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(2) STATEWIDE GUIDELINES AND STANDARDS.—The statewide guidelines and standards and the exemptions specified in s. 380.0651 and the statewide guidelines and standards adopted by the Department of Economic Opportunity ~~Administration Commission~~ and codified in chapter 73 ~~chapter 28-24~~, Florida Administrative Code, must be used in determining whether particular developments are subject to the requirements of subsection (12). The statewide guidelines and standards previously adopted by the Department of Economic Opportunity ~~Administration Commission~~ and approved by the Legislature shall remain in effect unless superseded or repealed by statute. The statewide guidelines and standards shall be applied as follows:

(a) A development that is below 100 percent of all numerical thresholds in the statewide guidelines and standards is not subject to subsection (12).

(b) A development that is at or above 100 percent of any numerical threshold in the statewide guidelines and standards is subject to subsection (12).

(11) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

(b) If requested by the owner, developer, or local government, the development-of-regional-impact development order must be abandoned by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development which existed on the date of abandonment has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as

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defined in s. 380.031(5) ~~s. 380.031(6)~~, provided such permit or authorization is subject to enforcement through administrative or judicial remedies. All development following abandonment must be fully consistent with the current comprehensive plan and applicable zoning.

Section 73. Section 380.07, Florida Statutes, is amended to read:

380.07 State Land Planning and Areas of Critical State Concern ~~Florida Land and Water Adjudicatory Commission~~.—

(1) ~~There is hereby created the Florida Land and Water Adjudicatory Commission, which shall consist of the Administration Commission.~~ The Department of Economic Opportunity ~~commission~~ may adopt rules necessary to ensure compliance with the area of critical state concern program.

(2) Whenever any local government issues any development order in any area of critical state concern, or in regard to the abandonment of any approved development of regional impact, copies of such orders as prescribed by rule by the state land planning agency shall be transmitted to the state land planning agency, the regional planning agency, and the owner or developer of the property affected by such order. The state land planning agency shall adopt rules describing development order rendition and effectiveness in designated areas of critical state concern. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the development order is not consistent with this part.

(3) Notwithstanding any other ~~provision of~~ law, an appeal

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of a development order in an area of critical state concern by the state land planning agency under this section may include consistency of the development order with the local comprehensive plan.

(4) The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the local government that issued the order. The filing of the notice of appeal stays the effectiveness of the order until after the completion of the appeal process.

(5) Before issuing a recommended ~~an~~ order, the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ shall hold a hearing pursuant to chapter 120. The Division of Administrative Hearings ~~commission~~ shall encourage the submission of appeals on the record made pursuant to subsection (7) in cases in which the development order was issued after a full and complete hearing before the local government or an agency thereof.

(6) After receipt of a recommended order from the Division of Administrative Hearings, the Department of Economic Opportunity ~~The Florida Land and Water Adjudicatory Commission~~ shall issue a final order pursuant to s. 120.57 ~~decision granting or denying permission to develop pursuant to the standards of this chapter and may attach conditions and restrictions to its decisions~~.

(7) If an appeal is filed with respect to any issues within the scope of a permitting program authorized by chapter 161, chapter 373, or chapter 403 and for which a permit or conceptual review approval has been obtained before the issuance of a development order, any such issue shall be specifically

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identified in the notice of appeal which is filed pursuant to this section, together with other issues that constitute grounds for the administrative review ~~appeal~~. The administrative proceeding ~~appeal~~ may proceed with respect to issues within the scope of permitting programs for which a permit or conceptual review approval has been obtained before the issuance of a development order only after the administrative law judge issues an order ~~commission determines by majority vote at a regularly scheduled commission meeting~~ that statewide or regional interests may be adversely affected by the development. In making this determination, there is a rebuttable presumption that statewide and regional interests relating to issues within the scope of the permitting programs for which a permit or conceptual approval has been obtained are not adversely affected.

Section 74. Subsection (2) of section 380.115, Florida Statutes, is amended to read:

380.115 Vested rights and duties; changes in statewide guidelines and standards.—A development that has received a development-of-regional-impact development order pursuant to s. 380.06 but is no longer required to undergo development-of-regional-impact review by operation of law may elect to rescind the development order pursuant to the following procedures:

(2) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or

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equivalent authorization issued by a governmental agency as defined in s. 380.031(5) ~~s. 380.031(6)~~, if such permit or authorization is subject to enforcement through administrative or judicial remedies.

Section 75. Paragraph (l) of subsection (4) of section 381.0065, Florida Statutes, is amended to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(4) PERMITS; INSTALLATION; CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. An operating permit must be obtained before the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2

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years after the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that

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uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted ~~by the Administration Commission~~ under s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

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c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewerage system, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by a central sewerage system by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewerage system, the property owner may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

6. The department shall enforce proper installation,

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operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewerage system until December 31, 2020.

Section 76. Paragraph (c) of subsection (2) of section 388.4111, Florida Statutes, is amended to read:

388.4111 Public lands; arthropod control.—

(2)

(c) If the land management agency and the local arthropod control agency are unable to agree on a public lands control plan, the Florida Coordinating Council on Mosquito Control may recommend a control plan to the department, which shall propose a recommended public lands control plan. If the land management agency and the local arthropod control agency fail to agree to such recommended public lands control plan within 30 days <u>after</u> ~~of~~ the rendering of such plan, either agency may petition the <u>Division of Administrative Hearings</u> ~~Land and Water Adjudicatory Commission~~ to determine whether the proposed control plan employs methods which are the minimum necessary and economically

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feasible to abate a public health or nuisance problem and which impose the least hazard to fish, wildlife, and other natural resources protected or managed in such areas. Unless both parties waive their right to a hearing, the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ shall direct a hearing officer to hold a hearing within the jurisdiction of the local arthropod control agency pursuant to the provisions of ss. 120.569 and 120.57 and submit a recommended order. The Department of Economic Opportunity ~~commission~~ shall, within 60 days after ~~of~~ receipt of the recommended order, issue a final order adopting a public lands control plan. Consistent with s. 120.57(1)(l), the Department of Economic Opportunity ~~commission~~ may adopt or modify the proposed control plan. The Department of Economic Opportunity ~~commission~~ shall adopt rules on the conduct of appeals before the Department of Economic Opportunity ~~commission~~.

Section 77. Effective July 1, 2022, paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in

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the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 78. Subsection (35) of section 403.061, Florida Statutes, is amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

(35) Adopt rules which may include stricter permitting and enforcement provisions within Outstanding Florida Waters, aquatic preserves, areas of critical state concern, and areas subject to chapter 380 resource management plans adopted by rule by the Department of Economic Opportunity ~~Administration Commission~~, when the plans for an area include waters that are particularly identified as needing additional protection, which provisions are not inconsistent with the applicable rules adopted for the management of such areas by the department and the Department of Economic Opportunity ~~Governor and Cabinet~~.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to

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humans, animals or plants, or to the environment.

Section 79. Subsection (11) of section 403.086, Florida Statutes, is amended to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(11) The Legislature finds that the discharge of inadequately treated and managed domestic wastewater from dozens of small wastewater facilities and thousands of septic tanks and other onsite systems in the Florida Keys compromises the quality of the coastal environment, including nearshore and offshore waters, and threatens the quality of life and local economies that depend on those resources. The Legislature also finds that the only practical and cost-effective way to fundamentally improve wastewater management in the Florida Keys is for the local governments in Monroe County, including those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage, to timely complete the wastewater or sewage treatment and disposal facilities initiated under the work program of the former Administration Commission provided in rule 28-20, Florida Administrative Code, and the Monroe County Sanitary Master Wastewater Plan, dated June 2000. The Legislature therefore declares that the construction and operation of comprehensive central wastewater systems in accordance with this subsection is in the public interest. To give effect to those findings, the requirements of this subsection apply to all domestic wastewater facilities in Monroe County, including privately owned facilities, unless otherwise provided under this subsection.

(a) The discharge of domestic wastewater into surface

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waters is prohibited.

(b) Monroe County, each municipality, and those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage in Monroe County shall complete the wastewater collection, treatment, and disposal facilities within its jurisdiction designated as hot spots in the Monroe County Sanitary Master Wastewater Plan, dated June 2000, specifically listed in Exhibits 6-1 through 6-3 of Chapter 6 of the plan and mapped in Exhibit F-1 of Appendix F of the plan. The required facilities and connections, and any additional facilities or other adjustments required by rules adopted ~~by the Administration Commission~~ under s. 380.0552, must be completed by December 31, 2015, pursuant to specific schedules established by the commission. Domestic wastewater facilities located outside local government and special district service areas must meet the treatment and disposal requirements of this subsection by December 31, 2015.

(c) After December 31, 2015, all new or expanded domestic wastewater discharges must comply with the treatment and disposal requirements of this subsection and department rules.

(d) Wastewater treatment facilities having design capacities:

1. Greater than or equal to 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 5 mg/l.

b. Suspended Solids of 5 mg/l.

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c. Total Nitrogen, expressed as N, of 3 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

2. Less than 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

(e) Class V injection wells, as defined by department or Department of Health rule, must meet the following requirements and otherwise comply with department or Department of Health rules, as applicable:

1. If the design capacity of the facility is less than 1 million gallons per day, the injection well must be at least 90 feet deep and cased to a minimum depth of 60 feet or to such greater cased depth and total well depth as may be required by department rule.

2. Except as provided in subparagraph 3. for backup wells, if the design capacity of the facility is equal to or greater than 1 million gallons per day, each primary injection well must be cased to a minimum depth of 2,000 feet or to such greater depth as may be required by department rule.

3. If an injection well is used as a backup to a primary injection well, the following conditions apply:

a. The backup well may be used only when the primary injection well is out of service because of equipment failure,

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power failure, or the need for mechanical integrity testing or repair;

b. The backup well may not be used for more than a total of 500 hours during any 5-year period unless specifically authorized in writing by the department;

c. The backup well must be at least 90 feet deep and cased to a minimum depth of 60 feet, or to such greater cased depth and total well depth as may be required by department rule; and

d. Fluid injected into the backup well must meet the requirements of paragraph (d).

(f) The requirements of paragraphs (d) and (e) do not apply to:

1. Class I injection wells as defined by department rule, including any authorized mechanical integrity tests;

2. Authorized mechanical integrity tests associated with Class V wells as defined by department rule; or

3. The following types of reuse systems authorized by department rule:

a. Slow-rate land application systems;

b. Industrial uses of reclaimed water; and

c. Use of reclaimed water for toilet flushing, fire protection, vehicle washing, construction dust control, and decorative water features.

However, disposal systems serving as backups to reuse systems must comply with the other provisions of this subsection.

(g) For wastewater treatment facilities in operation as of July 1, 2010, which are located within areas to be served by Monroe County, municipalities in Monroe County, or those special

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districts established for the purpose of collection, transmission, treatment, or disposal of sewage but which are owned by other entities, the requirements of paragraphs (d) and (e) do not apply until January 1, 2016. Wastewater operating permits issued pursuant to this chapter and in effect for these facilities as of June 30, 2010, are extended until December 31, 2015, or until the facility is connected to a local government central wastewater system, whichever occurs first. Wastewater treatment facilities in operation after December 31, 2015, must comply with the treatment and disposal requirements of this subsection and department rules.

(h) If it is demonstrated that a discharge, even if the discharge is otherwise in compliance with this subsection, will cause or contribute to a violation of state water quality standards, the department shall:

1. Require more stringent effluent limitations;

2. Order the point or method of discharge changed;

3. Limit the duration or volume of the discharge; or

4. Prohibit the discharge.

(i) All sewage treatment facilities must monitor effluent for total nitrogen and total phosphorus concentration as required by department rule.

(j) The department shall require the levels of operator certification and staffing necessary to ensure proper operation and maintenance of sewage facilities.

(k) The department may adopt rules necessary to carry out this subsection.

(l) The authority of a local government, including a special district, to mandate connection of a wastewater

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facility, as defined by department rule, is governed by s. 4, chapter 99-395, Laws of Florida.

Section 80. Paragraph (a) of subsection (1) of section 403.892, Florida Statutes, is amended to read:

403.892 Incentives for the use of graywater technologies.—

(1) As used in this section, the term:

(a) "Developer" has the same meaning as in s. 380.031(1) ~~s. 380.031(2)~~.

Section 81. Subsection (4) of section 581.217, Florida Statutes, is amended to read:

581.217 State hemp program.—

(4) FEDERAL APPROVAL.—The department shall seek approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture in accordance with 7 U.S.C. s. 1639p within 30 days after adopting rules. If the state plan is not approved by the United States Secretary of Agriculture, the Commissioner of Agriculture, in consultation with and with final approval from the Governor ~~Administration Commission~~, shall develop a recommendation to amend the state plan and submit the recommendation to the Legislature.

Section 82. Subsection (3) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(3) Notwithstanding other ~~provisions of~~ law, the distribution of the premium tax and any penalties or interest collected thereunder shall be made to the General Revenue Fund in accordance with rules adopted by the Department of Revenue ~~and approved by the Administration Commission~~.

Section 83. Effective July 1, 2022, paragraph (b) of

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subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s. 20.03(7) to provide guidance to the state's regional domestic security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

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8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 84. Subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the Secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; one ~~1~~ public defender appointed by the Florida Public Defender Association, Inc.; one ~~1~~ state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and five ~~5~~ members, to be appointed by the Governor, consisting of two ~~2~~ sheriffs, two ~~2~~ police chiefs, and one ~~1~~ clerk of the circuit court.

Section 85. Subsections (4) through (7) of section 945.6035, Florida Statutes, are amended to read:

945.6035 Dispute resolution.—

(4) If, at the end of the 40-day period, no resolution has been reached, the authority is authorized to appeal to the Division of Administrative Hearings ~~Administration Commission~~

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for a review and resolution of the dispute between the department and the authority.

(5) The authority, within 30 days after receiving written notice of the action of the secretary or, if no response is received, within 30 days after the secretary's response is due pursuant to subsection (3), may file an appeal by petition to the Division of Administrative Hearings ~~Administration Commission, filed with the Secretary of the Administration Commission~~. The petition must ~~shall~~ set forth the issues in controversy between the authority and the department, in the form and manner prescribed by the Division of Administrative Hearings ~~Administration Commission~~, and must ~~shall~~ contain the reasons for the appeal. The department has 5 days after delivery of a copy of any such petition to file its reply with the Division of Administrative Hearings ~~Secretary of the Administration Commission~~, and the department shall also deliver a copy of its reply to the authority.

(6) The issues that ~~which~~ may be raised by the authority on appeal to the Division of Administrative Hearings ~~Administration Commission~~ are:

(a) Adoption or implementation by the department of a health care standard which does not conform to the standard of care generally accepted in the professional health community at large.

(b) Failure of the department to comply with an adopted health care standard.

(c) Failure to timely file a corrective action plan regarding all deficiencies which are determined by the authority to exist at an institution, as required pursuant to s. 945.6031.

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(d) Failure to implement a corrective action plan filed pursuant to s. 945.6031.

(7) Within 30 days after receipt of a petition from the authority, the Division of Administrative Hearings ~~Secretary of the Administration Commission, or his or her designee,~~ shall conduct an informal hearing to consider the matters presented in the petition and the reply, and after the informal hearing shall promptly submit a report of the findings ~~and recommendations to the Administration Commission~~. Within 30 days after the informal hearing, the Division of Administrative Hearings ~~Administration Commission~~ shall approve either the position of the authority or that of the department. If the position of the authority is approved, the Division of Administrative Hearings must ~~Administration Commission shall~~ set forth whatever remedial measures it deems appropriate and the department shall implement such remedial measures. ~~The decision of the Administration Commission is final and binding on the authority and the department and shall not be subject to appeal pursuant to s. 120.68.~~

Section 86. Section 945.6036, Florida Statutes, is amended to read:

945.6036 Enforcement.—

(1) If the department fails to substantially comply with the dispute resolution decision of the Division of Administrative Hearings ~~Administration Commission~~ or fails to implement required remedial action within 45 days after such decision or within the time period set by the Division of Administrative Hearings ~~Administration Commission~~, whichever period is longer, the authority is authorized to petition the

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Circuit Court in Leon County for an order requiring the department to comply. For the purposes of this section, "substantial compliance" means a firm effort to comply fully with the decision without omitting any essential part, and that any omission consists solely of an unimportant defect.

(2) If the authority fails to initiate a circuit court proceeding pursuant to this section, an inmate has the right to file a verified petition with the authority requesting that such a proceeding be initiated. The petition must ~~shall~~ set forth with particularity the manner in which the department has failed to implement the decision of the Division of Administrative Hearings ~~Administration Commission~~, including any required remedial actions. The authority has 45 days after receipt of a verified petition to either initiate an action in circuit court pursuant to this section or advise the inmate in writing of the reason such an action will not be initiated.

(3) Within 30 days after service of the written decision of the authority setting forth its reason why an action will not be initiated by the authority pursuant to this section, an inmate may initiate an appropriate proceeding in the Circuit Court in Leon County to require the department to substantially comply with the decision of the Division of Administrative Hearings ~~Administration Commission~~.

Section 87. Paragraph (p) of subsection (9) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(9) CHARTER SCHOOL REQUIREMENTS.—

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school;

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the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed

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representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the State Board of Education ~~Administration Commission~~ under s. 120.54(5).

Section 88. Paragraph (e) of subsection (4) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(4) BOARD OF TRUSTEES.—

(e) The board of trustees is invested with full power and authority to:

1. Appoint a president, faculty, teachers, and other employees and remove the same as in its judgment may be best and fix their compensation.

2. Procure professional services, such as medical, mental health, architectural, and engineering.

3. Procure legal services without the prior written approval of the Attorney General.

4. Determine eligibility of students and procedure for admission.

5. Provide for the students of the school necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents, except that the board of trustees may set tuition and other fees for nonresidents.

6. Provide for the proper keeping of accounts and records and for budgeting of funds.

7. Enter into contracts.

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8. Sue and be sued.

9. Secure public liability insurance.

10. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible, the board of trustees taking into consideration the purposes of the establishment.

11. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity. However, the board of trustees may not obligate the state to any expenditure or policy that is not specifically authorized by law. If the bill of sale, will, trust indenture, deed, or other legal conveyance specifies terms and conditions concerning the use of such money or property, the board of trustees shall observe such terms and conditions.

12. Deposit outside the State Treasury such moneys as are received as gifts, donations, or bequests and may disburse and expend such moneys, upon its own warrant, for the use and benefit of the Florida School for the Deaf and the Blind and its students, as the board of trustees deems to be in the best interest of the school and its students. Such money or property does not constitute and may not be considered a part of any legislative appropriation.

13. Sell or convey by bill of sale, deed, or other legal instrument any property, real or personal, received as a gift, donation, or bequest, upon such terms and conditions as the board of trustees deems to be in the best interest of the school and its students.

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14. Invest such moneys in securities enumerated under s. 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund, an Investment Management Fund exclusively for nonprofit educational institutions.

15. After receiving approval from the Department of Economic Opportunity ~~Administration Commission~~, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

Section 89. Section 1013.25, Florida Statutes, is amended to read:

1013.25 When university or Florida College System institution board of trustees may exercise power of eminent domain.—Whenever it becomes necessary for the welfare and convenience of any of its institutions or divisions to acquire private property for the use of such institutions, and this cannot be acquired by agreement satisfactory to a university or Florida College System institution board of trustees and the parties interested in, or the owners of, the private property, the board of trustees may exercise the power of eminent domain after receiving approval therefor from the Department of Economic Opportunity ~~Administration Commission~~ and may then proceed to condemn the property in the manner provided by chapter 73 or chapter 74.

Section 90. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2022.

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5-01262-22

A bill to be entitled

An act relating to out-of-state personal income tax collection; creating ch. 221, F.S., entitled "Out-of-State Personal Income Tax Collection"; creating s. 221.03, F.S.; providing a declaration of public policy; creating s. 221.06, F.S.; defining terms; creating s. 221.07, F.S.; prohibiting the collection, investigation, or determination of out-of-state personal income taxes without a certain license; requiring persons conducting out-of-state personal income tax collection to apply for and annually renew licensure; prohibiting the Department of Financial Services from issuing licenses to specified entities; prohibiting licensed out-of-state personal income tax collectors from using certain methods or procedures; creating s. 221.08, F.S.; specifying requirements for applicants applying for and licensees renewing licensure; authorizing the department to conduct investigations of applicants for certain purposes; requiring the Department of Law Enforcement to inform the department of charges and dispositions against applicants upon request of the department; authorizing the department to contact other states for certain information; specifying requirements for the department for issuing licenses; authorizing the department to require licensees to produce specified photo identification; creating s. 221.09, F.S.; providing that the department is responsible for administration of provisions related to out-of-state

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personal income tax collection; authorizing the department to adopt rules; requiring the department to adopt a seal; requiring courts to accept records authenticated by the seal as evidence of the contents; authorizing the department to conduct examinations and investigations for certain purposes; authorizing the department to examine and compel the production of certain documents for certain purposes; prohibiting examinations from being more frequent than a specified interval; providing an exception; providing for deposit of fees into a specified trust fund; creating s. 221.11, F.S.; providing criminal penalties for collecting, investigating, or determining out-of-state personal income taxes without a license; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 221, Florida Statutes, consisting of ss. 221.03-221.11, Florida Statutes, is created and entitled "Out-of-State Personal Income Tax Collection."

Section 2. Section 221.03, Florida Statutes, is created to read:

221.03 Declaration of public policy.—It is the public policy of the state and the intent of the Legislature that residents of this state are adequately safeguarded and protected during the collection and enforcement processes of personal income taxes owed to other states. To the fullest extent possible under the law, other states shall follow the Florida

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Taxpayer Bill of Rights established in s. 213.015 when conducting out-of-state personal income tax collection within this state.

Section 3. Section 221.06, Florida Statutes, is created to read:

221.06 Definitions.—As used in this chapter, the term:

(1) "Department" means the Department of Financial Services.

(2) "Out-of-state income tax collector" means any person employed by another state's revenue agency or their designee for the purposes of collecting personal income taxes or investigating the determination of income tax liability from residents of this state.

(3) "Personal income tax" means a tax imposed by a state or local government on the income of a natural person.

(4) "Personal income tax collection" means the process of debt collection for a personal income tax owed by a natural person or investigation into the determination of income tax liability on behalf of a local or state government.

Section 4. Section 221.07, Florida Statutes, is created to read:

221.07 Licensure of out-of-state personal income tax collectors required; scope of license.—

(1) A person may not collect, investigate, or determine out-of-state personal income taxes without a license issued pursuant to this chapter.

(2) Each person conducting out-of-state personal income tax collection within this state must apply for licensure with the department and annually renew such license pursuant to s.

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221.08.

(3) The department may issue licenses under this chapter only to individuals and may not issue a license to a firm, partnership, association, or corporation.

(4) A licensed out-of-state income tax collector may not use any methods or procedures that are not specifically authorized for revenue officers of this state.

Section 5. Section 221.08, Florida Statutes, is created to read:

221.08 Licensure of out-of-state personal income tax collectors; procedure.—

(1) A person conducting out-of-state personal income tax collection within this state must apply for and annually renew licensure in accordance with this section.

(2) To apply for licensure, an applicant must:

(a) Submit a completed application form as prescribed by rule by the department.

(b) Identify the address of each physical office location used by the applicant for the business of out-of-state personal income tax collection.

(c) Provide any additional information the department may deem necessary for determining the applicant's qualifications for licensure.

(3) As a condition of renewal, a licensee must:

(a) Provide to the department the address of each physical office location used by the applicant for the business of out-of-state personal income tax collection.

(b) Provide to the department the number of individuals the licensee is investigating or from whom the licensee is seeking

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recovery of out-of-state personal income taxes.

(4) The department may conduct investigations of an applicant necessary for protecting the public and ascertaining the qualifications of the applicant. Upon the request of the department, the Department of Law Enforcement shall inform the department of any specific criminal charge filed against an applicant and the final disposition of such charge. The department may contact other states for information relevant to an applicant's qualifications for licensure.

(5) The department shall issue an out-of-state personal income tax collectors license to each person who is not otherwise ineligible and who meets the requirements of this chapter. The department may not issue or renew a license if the applicant has committed any violation of this chapter; has had an out-of-state income tax collector license suspended, revoked, or terminated; is the subject of a pending felony criminal prosecution or a prosecution in any jurisdiction of an administrative enforcement action that involves fraud, dishonesty, breach of trust, money laundering, or any other act of moral turpitude; or is unfit as to character, background, or lacking in required qualifications.

(6) The department may at any time require the licensee to produce his or her department-issued photo identification.

Section 6. Section 221.09, Florida Statutes, is created to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

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(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the office may examine the books, accounts, records, and other documents or matters of any person subject to this part. The office may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the office has reason to believe a person has violated or will violate this part or related rules.

(4) Fees collected pursuant to this chapter must be deposited into the Department of Financial Services Administrative Trust Fund.

Section 7. Section 221.11, Florida Statutes, is created to read:

221.11 Enforcement action against out-of-state personal income tax collector.—An individual collecting, investigating, or determining out-of-state personal income taxes without a license commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 8. This act shall take effect July 1, 2022.

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From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	couple of drafts
Date:	Monday, December 20, 2021 3:54:49 PM
Attachments:	5-01420-22 Cabinet Reform Exec Reorganization.docx 5-01262-22 Collection of out-of-state income tax.docx

NOTE RE: Draft 01420 from drafting

Gabriel Girado: (12/16/2021 4:27 PM):

Hi Tonya,

Drafted as requested; however I did have some concerns I wanted to point out with the draft:

1. s. 286.101 (lines 2285-2298) was not in the provided materials and based on statute and location the action by the Administration Commission is now performed by DMS.

2. s. 369.305 (lines 2546-2551) has the department (defined in s. 369.303 to be DEO) petitioning itself to confirm the determination.

3. s. 380.045 (lines 2944-2952) has DEO approving via resolution which they cannot do.

4. s. 380.05 (lines 3269-3272) has an agency filing copies of the adopted rule with the state land planning agency and DEO which in this case would be the same entity.

5. s. 403.086 (begins on line 3805) was not in the provided materials and I made minimal changes to conform to the rest of the draft.

6. s. 945.6035 (lines 4063-4069) who should DOAH submit the findings to?

If you have any questions or concerns please do not hesitate to reach out. If you require any changes to the draft please let us know via redraft request.

Thanks,

Gabe

Tonya J Shays

Legislative Assistant

The Florida Senate

Office of Senator Jennifer Bradley

(850)487-5005 Tallahassee

(386)719-2708 Lake City

(352)224-8945 Mobile

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5-01420-22

A bill to be entitled

An act relating to executive branch reorganization; providing legislative purpose; providing for a type two transfer of the Administration Commission to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity; providing for the continuation of certain contracts and interagency agreements; providing for a type two transfer of the Florida Land and Water Adjudicatory Commission to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings; authorizing the Executive Office of the Governor to transfer funds and positions between agencies upon approval by the Legislative Budget Commission; requiring that the Governor submit specified information in a timely manner to certain entities; requiring the Governor to seek waivers as required by federal law; providing for the transfer of certain records, funds, and property to a successor organization; providing a directive to the Division of Law Revision to assist substantive committees in the preparation of conforming legislation; repealing s. 14.202, F.S., relating to the Administration Commission; amending s. 20.201, F.S.; requiring that the executive director of the Department of Law Enforcement be appointed subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side; amending s.

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20.24, F.S.; providing that the head of the Department of Highway Safety and Motor Vehicles is the secretary, who is appointed by the Governor and confirmed by the Senate and who serves at the pleasure of the Governor; amending s. 20.255, F.S.; removing the requirement that appointment of the Secretary of Environmental Protection be subject to the concurrence of three members of the Cabinet; amending s. 20.37, F.S.; requiring that the executive director of the Department of Veterans' Affairs be appointed subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side, rather than by the approval of three Cabinet members; amending s. 30.49, F.S.; providing that a sheriff may file an appeal of his or her budget to the Governor and Cabinet, rather than the Administration Commission; authorizing the Executive Office of the Governor to adopt rules to govern the appeal process; modifying procedures to conform to changes made by the act; amending s. 110.112, F.S.; requiring approval of the Florida Commission on Human Relations, rather than the Administration Commission, before adoption of an executive agency's affirmative action plan; amending ss. 110.161, 110.201, 110.2035, 110.205, 110.21, 110.219, 110.227, and 110.403, F.S.; modifying duties of the Department of Management Services in its administration of the state employment system to conform to changes made by the act; amending s. 112.175, F.S.; requiring the Department of Management

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Services, instead of the Administration Commission, to adopt rules implementing provisions governing the repayment of educational loans; amending s. 120.533, F.S.; removing authorization for the Department of State to provide for an alternative official compiler of administrative final orders; amending ss. 120.54, 120.542, and 120.63, F.S.; revising provisions governing the establishment of the uniform rules of procedure under, and exemptions from, the Administrative Procedure Act; amending s. 120.65, F.S.; providing that the director of the Division of Administrative Hearings may appeal amendments to the division's operating budget and personnel actions to the Governor and Cabinet instead of the Administration Commission; providing that such appeal may be affirmed by a majority vote of the Governor and Cabinet under certain circumstances; requiring the division to annually issue a certain report to the Governor, rather than the Administration Commission, by a specified date; amending s. 120.80, F.S.; conforming provisions to changes made by the act; amending s. 161.55, F.S.; modifying procedures for reducing coastal building zones to conform to changes made by the act; amending s. 163.3164, F.S.; conforming provisions and a cross-reference to changes made by the act; amending ss. 163.3177, 163.3184, and 163.3187, F.S.; modifying procedures governing the adoption of comprehensive plans and amendments thereto to conform to changes made by the act; amending s.

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163.3213, F.S.; modifying procedures governing the administrative review of land development regulations to conform to changes made by the act; amending s. 163.3245, F.S.; providing for certain development orders to be appealed to the Division of Administrative Hearings, instead of the Florida Land and Water Adjudicatory Commission; amending s. 166.241, F.S.; providing that specified entities may file an appeal regarding a reduction in funding of the operating budget of certain law enforcement agencies with the head of the Department of Law Enforcement, instead of the Administration Commission; authorizing the Executive Office of the Governor to adopt rules to govern the appeal process; requiring that the report of the findings regarding an appeal be submitted to the head of the Department of Law Enforcement, instead of the Administration Commission; providing that the final budget as approved, amended, or modified by the head of the Department of Law Enforcement is final; amending ss. 186.008 and 186.515, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 190.005 and 190.046, F.S.; modifying procedures governing community development districts by transferring duties of the Florida Land and Water Adjudicatory Commission to the Department of Economic Opportunity; amending s. 195.087, F.S.; authorizing the Division of Administrative Hearings, rather than the Administration Commission, to hear property appraiser budget appeals; authorizing the Department

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of Management Services to amend the budget; amending ss. 206.27, 207.021, 212.055, 215.619, and 215.95, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 216.182, F.S.; modifying procedures governing the review of capital outlay programs to conform to changes made by the act; amending s. 216.192, F.S.; modifying procedures governing the review of releases of appropriations to conform to changes made by the act; amending ss. 259.045 and 282.709, F.S.; conforming provisions to changes made by the act; amending s. 286.101, F.S.; providing that the Department of Management Services, rather than the Administration Commission, may lift an entity's ineligibility for state-funded grants and contracts for failure to comply with restrictions regarding the receipt of foreign gifts and contracts if certain conditions are met; amending s. 288.975, F.S.; providing for disputes regarding military base reuse activities to be heard by the Division of Administrative Hearings, instead of the Administration Commission; amending ss. 316.545, 320.275, 322.125, and 331.353, F.S.; conforming provisions to changes made by the act; amending s. 336.025, F.S.; providing for certain disputes regarding the distribution of local option fuel tax proceeds to be heard by the Division of Administrative Hearings, instead of the Administration Commission; amending ss. 337.243 and 369.305, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s.

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373.114, F.S.; revising procedures governing the review of water management district rules and orders to conform to changes made by the act; amending s. 373.139, F.S.; authorizing the governing board of a water management district to appeal a denial of acquisition moneys to the Division of Administrative Hearings, instead of the Land and Water Adjudicatory Commission; amending s. 373.217, F.S.; conforming a provision to changes made by the act; amending s. 373.2295, F.S.; modifying procedures governing certain appeals to conform to changes made by the act; amending ss. 373.4275, 373.703, 377.2425, and 380.031, F.S.; conforming provisions to changes made by the act; amending s. 380.032, F.S.; modifying procedures for initiating review of a state land planning agency rule to conform to changes made by the act; amending s. 380.045, F.S.; modifying procedures of resource planning and management committees and the state land planning agency in developing resource planning and management programs to conform to changes made by the act; amending s. 380.05, F.S.; modifying the duties of the state land planning agency with respect to designations of areas of critical state concern to conform to changes made by the act; amending s. 380.055, F.S.; conforming provisions to changes made by the act; amending s. 380.0552, F.S.; modifying procedures governing removal of the designation of the Florida Keys Area as an area of critical state concern, and modification to plans and regulations, to

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conform to changes made by the act; amending s. 380.0555, F.S.; modifying procedures governing removal of the designation of the Apalachicola Bay Area as an area of critical state concern, and modification to plans and regulations, to conform to changes made by the act; amending s. 380.06, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 380.07, F.S.; modifying procedures governing certain development order appeals to conform to changes made by the act; amending ss. 380.115 and 381.0065, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 388.4111, F.S.; revising procedures regarding the adoption of public lands control plans when the land management agency and local arthropod control agency fail to agree on such plan, to conform to changes made by the act; amending ss. 397.333, 403.061, 403.086, and 403.892, F.S.; conforming provisions and a cross-reference to changes made by the act; amending s. 581.217, F.S.; requiring the Governor, rather than the Administration Commission, to review and approve an amended state hemp plan before submission to the Legislature; amending ss. 624.509, 943.0313, and 943.06, F.S.; conforming provisions to changes made by the act; amending ss. 945.6035 and 945.6036, F.S.; providing for appeals involving disputes between the state's Correctional Medical Authority and the Department of Corrections to be filed with the Division of Administrative Hearings, rather than the

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Administration Commission, to conform to changes made by the act; amending s. 1002.33, F.S.; providing that a charter school's governing board must comply with public meeting rules adopted by the State Board of Education, rather than the Administration Commission; amending ss. 1002.36 and 1013.25, F.S.; requiring approval from the Department of Economic Opportunity, rather than the Administration Commission, as a prerequisite to the exercise of eminent domain powers by the boards of trustees of the Florida School for the Deaf and Blind and state universities and Florida College System institutions, respectively; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative purpose.—It is the intent of the Legislature to pursue a state executive structure more aligned with the federal system in order to promote greater accountability and efficiency. When America's founding fathers designed our Federal Government structure, they intentionally chose a system in which there was a unitary executive. The founders very consciously declined to sap the executive's strength by dividing the executive power and instead vested the executive power in one elected individual, believing that an energetic executive is the leading character in the definition of good government. The changes made herein reflect the Legislature's intent to move away from a plural executive structure toward more unitary executive governance that

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encourages greater accountability in the democratic process and efficiencies in government.

Section 2. Type two transfers from the Executive Office of the Governor.—

(1)(a) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Administration Commission in the Executive Office of the Governor are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity, as appropriate.

(b) Any binding contract or interagency agreement existing before October 1, 2022, between the Administration Commission in the Executive Office of the Governor, or an entity or agent of the commission, and any other agency, entity, or person must continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

(2) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Florida Land and Water Adjudicatory Commission are transferred by a type two transfer, as defined in s. 20.06(2), Florida

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Statutes, to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings, as appropriate.

Section 3. (1) Notwithstanding ss. 216.292 and 216.351, Florida Statutes, upon approval by the Legislative Budget Commission, the Executive Office of the Governor may transfer funds and positions between agencies to implement this act.

(2) The Governor shall submit in a timely manner to the applicable federal departments or agencies any necessary amendments or supplemental information concerning plans that the state is required to submit to the Federal Government in connection with any federal or state program. The Governor shall seek any waivers from the requirements of federal law or rules which may be necessary to administer this act.

(3) The transfer of any program, activity, duty, or function under this act includes the transfer of any records and unexpended balances of appropriations, allocations, or other funds related to such program, activity, duty, or function. Unless otherwise provided, the successor organization to any program, activity, duty, or function transferred under this act shall become the custodian of any property of the organization that was responsible for the program, activity, duty, or function immediately before the transfer.

Section 4. The Legislature recognizes that there is a need to conform the Florida Statutes to the policy decisions reflected in this act and that there is a need to resolve apparent conflicts between any other legislation that has been or may be enacted during the 2022 Regular Session of the Legislature and the transfer of duties made by this act.

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Therefore, in the interim between this act becoming a law and the 2023 Regular Session of the Legislature or an earlier special session addressing this issue, the Division of Law Revision is directed to provide the relevant substantive committees of the Senate and the House of Representatives with assistance, upon request, to enable such committees to prepare draft legislation to conform the Florida Statutes and any legislation enacted during the 2022 Regular Session of the Legislature to this act.

Section 5. Section 14.202, Florida Statutes, is repealed.

Section 6. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 7. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—

There is created a Department of Highway Safety and Motor

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Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor. The secretary must be confirmed by the Senate. The secretary serves at the pleasure of the Governor ~~and Cabinet~~.

Section 8. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor~~, with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary serves ~~shall serve~~ at the pleasure of the Governor.

Section 9. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director serves ~~shall serve~~ at the pleasure of the Governor and Cabinet.

Section 10. Present paragraph (b) of subsection (4) of section 30.49, Florida Statutes, is redesignated as paragraph

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(c), a new paragraph (b) is added to that subsection, and paragraph (a) of subsection (4) and subsections (5) and (10) are amended, to read:

30.49 Budgets.—

(4) The board of county commissioners or the budget commission, as appropriate, may require the sheriff to correct mathematical, mechanical, factual, and clerical errors and errors as to form in the proposed budget. At the hearings held pursuant to s. 200.065, the board or commission may amend, modify, increase, or reduce any or all items of expenditure in the proposed budget, as certified by the sheriff pursuant to paragraphs (2)(a)-(c), and shall approve such budget, as amended, modified, increased, or reduced. The board or commission must give written notice of its action to the sheriff and specify in such notice the specific items amended, modified, increased, or reduced. The budget must include the salaries and expenses of the sheriff's office, cost of operation of the county jail, purchase, maintenance and operation of equipment, including patrol cars, radio systems, transporting prisoners, court duties, and all other salaries, expenses, equipment, and investigation expenditures of the entire sheriff's office for the previous year.

(a) The sheriff, within 30 days after receiving written notice of such action by the board or commission, in person or in his or her office, may file an appeal by petition to the <u>head of the Department of Law Enforcement, which is the Governor and Cabinet</u> ~~Administration Commission~~. The petition must set forth the budget proposed by the sheriff, in the form and manner prescribed by the Executive Office of the Governor ~~and approved~~

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~~by the Administration Commission~~, and the budget as approved by the board of county commissioners or the budget commission and shall contain the reasons or grounds for the appeal. Such petition shall be filed with the Executive Office of the Governor, and a copy served upon the board or commission from the decision of which appeal is taken by delivering the same to the chair or president thereof or to the clerk of the circuit court.

(b) The Executive Office of the Governor may, in accordance with chapter 120, adopt rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days after the hearing, shall issue a final order to~~, shall~~ either approve the action of the board or commission as to each separate item, or approve the budget as proposed by the sheriff as to each separate item, or amend or modify the budget as to each separate item within the limits of the proposed board of expenditures and the expenditures as approved by the board of county commissioners or the budget commission, as the case may be. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

(10) If in the judgment of the sheriff an emergency should

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arise by reason of which the sheriff would be unable to perform his or her duties without the expenditure of larger amounts than those provided in the budget, he or she may apply to the board of county commissioners for the appropriation of additional amounts. If the board of county commissioners approves the sheriff's request, no further action is required on either party. If the board of county commissioners disapproves a portion or all of the sheriff's request, the sheriff may apply to the <u>head of the Department of Law Enforcement</u> ~~Administration Commission~~ for the appropriation of additional amounts. The sheriff shall at the same time deliver a copy of the application to the <u>Executive Office of the Governor</u> ~~Administration Commission~~, the board of county commissioners, and the budget commission, if there is a budget commission within the county. The <u>head of the Department of Law Enforcement</u> ~~Administration Commission~~ may require a budget hearing on the application, after due notice to the sheriff and to the boards, and may grant or deny an increase or increases in the appropriations for the sheriff's offices. If any increase is granted, the board of county commissioners, and the budget commission, if there is a budget commission in the county, shall amend accordingly the budget of the appropriate county fund or funds. Such budget shall be brought into balance, if possible, by application of excess receipts in such county fund or funds. If such excess receipts are not available in sufficient amount, the county fund budget or budgets shall be brought into balance by adding an item of "Vouchers unpaid" in the appropriate amount to the receipts side of the budget, and provision for paying such vouchers shall be made in the budget of the county fund for the

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next fiscal year.

Section 11. Paragraph (a) of subsection (2) of section 110.112, Florida Statutes, is amended to read:

110.112 Affirmative action; equal employment opportunity.—

(2)(a) The head of each executive agency shall develop and implement an affirmative action plan in accordance with rules adopted by the department and approved by a majority vote of the Florida Commission on Human Relations ~~Administration Commission~~ before their adoption.

Section 12. Subsection (5) and paragraph (c) of subsection (6) of section 110.161, Florida Statutes, are amended to read:

110.161 State employees; pretax benefits program.—

(5) The Department of Management Services shall develop rules for the pretax benefits program, which shall specify the benefits to be offered under the program, the continuing tax-exempt status of the program, and any other matters deemed necessary by the department to implement this section. ~~The rules must be approved by a majority vote of the Administration Commission.~~

(6) The Department of Management Services is authorized to administer the pretax benefits program established for all employees so that employees may receive benefits that are not includable in gross income under the Internal Revenue Code of 1986. The pretax benefits program:

(c) May provide for the payment of such premiums through a pretax payroll procedure. The ~~Administration Commission and the~~ Department of Management Services is ~~are~~ directed to take all actions necessary to preserve the tax-exempt status of the program.

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Section 13. Paragraphs (a), (b), and (c) of subsection (1) and subsection (4) of section 110.201, Florida Statutes, are amended to read:

110.201 Personnel rules, records, and reports.—

(1)(a) The department, in consultation with agencies that must comply with these rules, shall develop uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service. Agencies must comply with the uniform rules, except as provided in this section. The department may adopt rules that provide alternative requirements. Upon filing with the Department of State, the appropriate uniform rules will constitute the personnel rules for each agency subject to this act unless the Department of Management Services ~~Administration Commission~~ grants an exception to a specific rule to an agency upon the agency's request or unless the agency must comply with a statutory provision that conflicts with the uniform rules. If an agency must comply with a statutory provision that conflicts with the uniform rules, the agency must notify the department ~~Administration Commission~~, the Administrative Procedures Committee, and the appropriate standing committees of the Legislature and advise the standing committees whether the agency recommends revision of the statute to conform it to the uniform rules. Agencies are encouraged to propose methods of conforming statutory provisions to the uniform personnel rules.

(b) An agency may request an exception to the uniform personnel rules by filing a petition with the department ~~Administration Commission~~. The department ~~Administration Commission~~ shall approve an exception when the exception is

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necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the department ~~Administration Commission~~. The reasons for the exception must be published in the Florida Administrative Register.

(c) Agency rules that provide exceptions to the uniform personnel rules may not be filed with the Department of State unless the Department of Management Services ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules or that must comply with statutory requirements that conflict with the uniform rules must have a separate chapter published in the Florida Administrative Code which clearly delineates the provisions of the agency's rules which provide exceptions or are based upon a conflicting statutory requirement. Each alternative chosen from those authorized by the uniform rules must be specified. Each chapter must be organized in the same manner as the uniform rules.

(4) The department shall coordinate with the Governor ~~and consult with the Administration Commission~~ on personnel matters falling within the scope of collective bargaining and shall represent the Governor in collective bargaining negotiations and other collective bargaining matters as may be necessary. All discussions between the department and the Governor, and between the department and the ~~Administration Commission or~~ agency heads, or between any of their respective representatives, relative to collective bargaining, shall be exempt from the

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provisions of s. 286.011, and all work products relative to collective bargaining developed in conjunction with such discussions shall be confidential and exempt from the provisions of s. 119.07(1).

Section 14. Paragraph (e) of subsection (1) of section 110.2035, Florida Statutes, is amended to read:

110.2035 Classification and compensation program.—

(1) The department ~~of Management Services~~ shall establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service, and Senior Management Service positions. ~~No~~ Action may not be taken to fill any position until it has been classified in accordance with the classification plan.

(e) In cooperation and consultation with the employing agencies, the department shall adopt rules necessary to govern the administration of the classification plan. ~~Such rules shall be approved by the Administration Commission prior to their adoption by the department.~~

Section 15. Paragraph (n) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(n)1.a. In addition to those positions exempted by other paragraphs of this subsection, each department head may designate a maximum of 20 policymaking or managerial positions, as defined by the department ~~and approved by the Administration Commission~~, as being exempt from the Career Service System. Career service employees who occupy a position designated as a

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position in the Selected Exempt Service under this paragraph shall have the right to remain in the Career Service System by opting to serve in a position not exempted by the employing agency. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Selected Exempt Service; provided, however, that if the agency head determines that the general counsel, chief Cabinet aide, public information administrator or comparable position for a Cabinet officer, inspector general, or legislative affairs director has both policymaking and managerial responsibilities and if the department determines that any such position has both policymaking and managerial responsibilities, the salary and benefits for each such position shall be established by the department in accordance with the rules of the Senior Management Service.

b. In addition, each department may designate one additional position in the Senior Management Service if that position reports directly to the agency head or to a position in the Senior Management Service and if any additional costs are absorbed from the existing budget of that department.

2. If otherwise exempt, employees of the Public Employees Relations Commission, the Commission on Human Relations, and the Reemployment Assistance Appeals Commission, upon the certification of their respective commission heads, may be provided for under this paragraph as members of the Senior Management Service, if otherwise qualified. However, the deputy general counsel of the Public Employees Relations Commission shall be compensated as members of the Selected Exempt Service.

Section 16. Subsection (5) of section 110.21, Florida

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Statutes, is amended to read:

110.21 Shared employment.—In order to promote part-time career employment opportunities at all levels in the career service, the department shall establish and maintain a plan for shared employment applicable to all classes in the career service and shall be responsible for the overall review, coordination, and administration of the shared-employment plan.

(5) The department shall adopt any rules necessary to implement ~~the provisions of~~ this section~~; however, such rules shall be approved by the Administration Commission prior to their adoption by the department~~.

Section 17. Subsection (5) of section 110.219, Florida Statutes, is amended to read:

110.219 Attendance and leave; general policies.—

(5) Rules shall be adopted by the department in cooperation and consultation with the agencies to implement ~~the provisions of~~ this section~~; however, such rules must be approved by the Administration Commission prior to their adoption~~. Such rules must provide for, but need not be limited to:

(a) The maximum responsibility and authority resting with each agency head to administer attendance and leave matters in the agency within the parameters of the rules adopted by the department.

(b) Creditable service in which 1 month of service credit is awarded for each calendar month that the employee is on the payroll of a state agency or during which the employee is on authorized leave without pay.

(c) Holidays as provided in s. 110.117.

(d) Overtime provisions.

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(e) Annual leave provisions.

(f) Sick leave provisions.

(g) Parental leave provisions.

(h) Family medical leave provisions.

(i) Disability leave provisions.

(j) Compulsory disability leave provisions.

(k) Administrative leave provisions.

(l) Military leave provisions.

(m) Educational leave with pay provisions.

(n) Leave of absence without pay provisions.

Section 18. Paragraph (b) of subsection (2) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(2)

(b) For the implementation of layoffs as defined in s. 110.107, the department shall develop rules requiring retention of the agency's employees based upon objective measures that give consideration to comparative merit, demonstrated skills, the employee's experience, and the employee's length of service. ~~Such rules shall be approved by the Administration Commission before their adoption by the department.~~

Section 19. Subsection (1) of section 110.403, Florida Statutes, is amended to read:

110.403 Powers and duties of the department.—

(1) In order to implement the purposes of this part, the department ~~of Management Services, after approval by the Administration Commission,~~ shall adopt and amend rules providing for:

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(a) A system for employing, promoting, or reassigning managers that is responsive to organizational or program needs. In no event shall the number of positions included in the Senior Management Service exceed 1.0 percent of the total full-time equivalent positions in the career service. The department shall deny approval to establish any position within the Senior Management Service which would exceed the limitation established in this paragraph. The department shall report that the limitation has been reached to the Governor, the President of the Senate, and the Speaker of the House of Representatives, as soon as practicable after such event occurs. Employees in the Senior Management Service shall serve at the pleasure of the agency head and shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel action at the discretion of the agency head. Such personnel actions are exempt from the provisions of chapter 120.

(b) A performance appraisal system which shall take into consideration individual and organizational efficiency, productivity, and effectiveness.

(c) A classification plan and a salary and benefit plan that provides appropriate incentives for the recruitment and retention of outstanding management personnel and provides for salary increases based on performance.

(d) A system of rating duties and responsibilities for positions within the Senior Management Service and the qualifications of candidates for those positions.

(e) A system for documenting actions taken on agency requests for approval of position exemptions and special pay increases.

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(f) Requirements regarding recordkeeping by agencies with respect to Senior Management Service positions. Such records shall be audited periodically by the department ~~of Management Services~~ to determine agency compliance with ~~the provisions of~~ this part and the rules of the department ~~of Management Services~~.

(g) Other procedures relating to personnel administration to carry out the purposes of this part.

(h) A program of affirmative and positive action that will ensure full utilization of women and minorities in Senior Management Service positions.

Section 20. Subsection (2) of section 112.175, Florida Statutes, is amended to read:

112.175 Employee wages; withholding to repay educational loan.—

(2) The Department of Management Services ~~Administration Commission~~ shall adopt rules to implement this section, which shall include, but not be limited to, a standard method of calculating amounts to be withheld from employees who have failed to establish a repayment schedule within the specified period of time or failed to meet the terms and conditions of the agreed to or approved repayment schedule provided for in this section. Such method shall consider the following factors:

(a) The amount of the loan which remains outstanding;

(b) The income of the employee who owes such amount; and

(c) Other factors such as the number of dependents supported by the employee.

Section 21. Subsection (7) of section 120.533, Florida Statutes, is amended to read:

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120.533 Coordination of the transmittal, indexing, and listing of agency final orders by Department of State.—The Department of State shall:

(7) Adopt rules as necessary to administer its responsibilities under this section, which shall be binding on all agencies including the division acting in the capacity of official compiler of administrative final orders under s. 120.53, notwithstanding s. 120.65. ~~The Department of State may provide for an alternative official compiler to manage and operate the division's database and related services if the Administration Commission determines that the performance of the division as official compiler is unsatisfactory.~~

Section 22. Subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

(5) UNIFORM RULES.—

(a)1. The division ~~by July 1, 1997, the Administration Commission~~ shall adopt one or more sets of uniform rules of procedure which shall be reviewed by the committee and filed with the Department of State. Agencies must comply with the uniform rules ~~by July 1, 1998~~. The uniform rules must ~~shall~~ establish procedures that comply with the requirements of this chapter. On filing with the department, the uniform rules must ~~shall~~ be the rules of procedure for each agency subject to this chapter unless the division ~~Administration Commission~~ grants an exception to the agency under this subsection.

2. An agency may seek exceptions to the uniform rules of procedure by filing a petition with the division ~~Administration Commission~~. The division ~~Administration Commission~~ shall approve

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exceptions to the extent necessary to implement other statutes, to the extent necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the division ~~Administration Commission~~. The reasons for the exceptions shall be published in the Florida Administrative Register.

3. Agency rules that provide exceptions to the uniform rules may ~~shall~~ not be filed with the department unless the division ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules shall publish a separate chapter in the Florida Administrative Code that delineates clearly the provisions of the agency's rules which ~~that~~ provide exceptions to the uniform rules and specifies each alternative chosen from among those authorized by the uniform rules. Each chapter shall be organized in the same manner as the uniform rules.

(b) The uniform rules of procedure adopted by the division ~~commission~~ pursuant to this subsection must ~~shall~~ include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency which ~~that~~ provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules must ~~shall~~ provide that all evidence, testimony, and argument presented

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shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology must ~~shall~~ state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. ~~Nothing in~~ This paragraph may not ~~shall~~ be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to ~~the provisions of~~ s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The division ~~Administration Commission~~ may prescribe the form and substantive provisions of a required bond.

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4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules must ~~shall~~ require the petition to include:

a. The identification of the petitioner, including the petitioner's e-mail address, if any, for the transmittal of subsequent documents by electronic means.

b. A statement of when and how the petitioner received notice of the agency's action or proposed action.

c. An explanation of how the petitioner's substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules must ~~shall~~ require a request to include:

a. The name, address, e-mail address, and telephone number of the party making the request and the name, address, and

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telephone number of the party's counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent's use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Register under s. 120.565, including any applicable time limit for the filing of petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency's organization and general course of its operations. The rules must ~~shall~~ require that the

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statement concerning the agency's organization and operations be published on the agency's website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 23. Subsection (3) of section 120.542, Florida Statutes, is amended to read:

120.542 Variances and waivers.—

(3) The division ~~Governor and Cabinet, sitting as the Administration Commission,~~ shall adopt uniform rules of procedure pursuant to the requirements of s. 120.54(5) establishing procedures for granting or denying petitions for variances and waivers. The uniform rules must ~~shall~~ include procedures for the granting, denying, or revoking of emergency and temporary variances and waivers. Such provisions may provide for expedited timeframes, waiver of or limited public notice, and limitations on comments on the petition in the case of such temporary or emergency variances and waivers.

Section 24. Section 120.63, Florida Statutes, is amended to read:

120.63 Exemption from act.—

(1) Upon application of any agency, the Department of Management Services ~~Administration Commission~~ may exempt any process or proceeding governed by this act from one or more requirements of this act:

(a) When the agency head has certified that the requirement would conflict with any provision of federal law or rules with which the agency must comply;

(b) In order to permit persons in the state to receive tax

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benefits or federal funds under any federal law; or

(c) When the Department of Management Services ~~commission~~ has found that conformity with the requirements of the part or parts of this act for which exemption is sought would be so inconvenient or impractical as to defeat the purpose of the agency proceeding involved or the purpose of this act and would not be in the public interest in light of the nature of the intended action and the enabling act or other laws affecting the agency.

(2) The Department of Management Services ~~commission~~ may not exempt an agency from any requirement of this act pursuant to this section until it establishes alternative procedures to achieve the agency's purpose which are ~~shall be~~ consistent, insofar as possible, with the intent and purpose of the act.

(a) Before ~~Prior to~~ the granting of any exemption authorized by this section, the Department of Management Services ~~commission~~ shall hold a public hearing after notice given as provided in s. 120.525. Upon the conclusion of the hearing, the department ~~commission, through the Executive Office of the Governor,~~ shall issue an order specifically granting or denying the exemption and specifying any processes or proceedings exempted and the extent of the exemption; transmit to the committee and to the Department of State a copy of the petition, a certified copy of the order granting or denying the petition, and a copy of any alternative procedures prescribed; and give notice of the petition and the Department of Management Services' ~~commission's~~ response in the Florida Administrative Register.

(b) An exemption and any alternative procedure prescribed

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shall terminate 90 days following adjournment sine die of the then-current or next regular legislative session after issuance of the exemption order, or upon the effective date of any subsequent legislation incorporating the exemption or any partial exemption related thereto, whichever is earlier. The exemption granted by the Department of Management Services ~~commission~~ shall be renewable upon the same or similar facts not more than once. Such renewal shall terminate as would an original exemption.

Section 25. Subsections (2) and (8) of section 120.65, Florida Statutes, are amended to read:

120.65 Administrative law judges.—

(2) The director has the right to appeal actions by the Executive Office of the Governor which ~~that~~ affect amendments to the division's approved operating budget or any personnel actions pursuant to chapter 216 to the Governor and Cabinet ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees may advise the Governor and Cabinet ~~Administration Commission~~ on the issue. If the President of the Senate and the Speaker of the House of Representatives object in writing to the effects of the appeal, the appeal may be affirmed by the majority vote of the Governor and Cabinet ~~affirmative vote of two-thirds of the commission members present~~.

(8) Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Governor ~~Administration Commission~~, including at least the following information:

(a) A summary of the extent and effect of agencies' use

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~~utilization~~ of administrative law judges, court reporters, and other personnel in proceedings under this chapter.

(b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

(c) Recommendations as to those types of cases or disputes which should be conducted under the summary hearing process described in s. 120.574.

(d) A report regarding each agency's compliance with the filing requirement in s. 120.57(1)(m).

Section 26. Paragraph (a) of subsection (1) and subsection (5) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

(1) DIVISION OF ADMINISTRATIVE HEARINGS.—

(a) *Division as a party.*—Notwithstanding s. 120.57(1)(a), a hearing in which the division is a party may not be conducted by an administrative law judge assigned by the division. An attorney assigned by the Department of Management Services ~~Administration Commission~~ shall be the hearing officer.

(5) LAND USE AND PLANNING ~~FLORIDA LAND AND WATER ADJUDICATORY COMMISSION. Notwithstanding the provisions of s. 120.57(1)(a),~~ When the division ~~Florida Land and Water Adjudicatory Commission~~ receives a notice of appeal pursuant to s. 380.07, the division ~~commission~~ shall notify the Department of Economic Opportunity and the Department of Environmental Protection ~~division~~ within 60 days after receipt of the notice of appeal ~~if the commission elects to request the assignment of an administrative law judge~~.

Section 27. Subsection (4) of section 161.55, Florida

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Statutes, is amended to read:

161.55 Requirements for activities or construction within the coastal building zone.—The following requirements shall apply beginning March 1, 1986, to construction within the coastal building zone and shall be minimum standards for construction in this area:

(4) APPLICATION TO COASTAL BARRIER ISLANDS.—All requirements of this part which are applicable to the coastal building zone shall also apply to coastal barrier islands. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high-water line to a line 5,000 feet landward from the coastal construction control line established pursuant to s. 161.053, or the entire island, whichever is less. For coastal barrier islands on which a coastal construction control line has not been established pursuant to s. 161.053, the coastal building zone shall be the land area seaward of the most landward velocity zone (V-zone) boundary line fronting upon the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida. All land area in the Florida Keys located within Monroe County shall be included in the coastal building zone. The coastal building zone on any coastal barrier island between Sebastian Inlet and Fort Pierce Inlet may be reduced in size upon approval of the department ~~Land and Water Adjudicatory Commission~~, if it determines that the local government with jurisdiction has provided adequate protection for the barrier island. In no case, however, shall the coastal building zone be reduced to an area less than a line 2,500 feet landward of the coastal construction control line. The department must ~~Land and Water Adjudicatory Commission shall~~ withdraw its approval for a

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reduced coastal building zone if it determines that 6 months after a local government comprehensive plan is due for submission to the state land planning agency pursuant to s. 163.3167 the local government with jurisdiction has not adopted a coastal management element which is in compliance with s. 163.3178.

Section 28. Subsections (2) and (45) of section 163.3164, Florida Statutes, are amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

~~(2) "Administration Commission" means the Governor and the Cabinet, and for purposes of this chapter the commission shall act on a simple majority vote, except that for purposes of imposing the sanctions provided in s. 163.3184(8), affirmative action shall require the approval of the Governor and at least three other members of the commission.~~

(44)~~(45)~~ "Structure" has the same meaning as in s. 380.031(18) ~~s. 380.031(19)~~.

Section 29. Paragraph (f) of subsection (1) and paragraph (a) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a

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consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

(f) All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

1. Surveys, studies, and data utilized in the preparation of the comprehensive plan may not be deemed a part of the

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comprehensive plan unless adopted as a part of it. Copies of such studies, surveys, data, and supporting documents for proposed plans and plan amendments shall be made available for public inspection, and copies of such plans shall be made available to the public upon payment of reasonable charges for reproduction. Support data or summaries are not subject to the compliance review process, but the comprehensive plan must be clearly based on appropriate data. Support data or summaries may be used to aid in the determination of compliance and consistency.

2. Data must be taken from professionally accepted sources. The application of a methodology utilized in data collection or whether a particular methodology is professionally accepted may be evaluated. However, the evaluation may not include whether one accepted methodology is better than another. Original data collection by local governments is not required. However, local governments may use original data so long as methodologies are professionally accepted.

3. The comprehensive plan shall be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~,~~ ~~including related rules of the Administration Commission~~. Absent physical limitations on population growth, population

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projections for each municipality, and the unincorporated area within a county must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth.

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

a. The amount of land required to accommodate anticipated growth.

b. The projected permanent and seasonal population of the

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area.

c. The character of undeveloped land.

d. The availability of water supplies, public facilities, and services.

e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.

f. The compatibility of uses on lands adjacent to or closely proximate to military installations.

g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

h. The discouragement of urban sprawl.

i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

j. The need to modify land uses and development patterns within antiquated subdivisions.

3. The future land use plan element shall include criteria to be used to:

a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).

b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.

d. Encourage the location of schools proximate to urban residential areas to the extent possible.

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e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.

f. Ensure the protection of natural and historic resources.

g. Provide for the compatibility of adjacent land uses.

h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.

4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~, including related rules of the Administration Commission~~.

5. The future land use plan of a county may designate areas for possible future municipal incorporation.

6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.

7. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public

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schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.

8. Future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services.

b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-

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intensity, low-density, or single-use development or uses.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities and services.

(VII) Fails to maximize use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(IX) Fails to provide a clear separation between rural and urban uses.

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(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

(XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.

(XIII) Results in the loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

(IV) Promotes conservation of water and energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of

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the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

10. The future land use element shall include a future land use map or map series.

a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:

(I) Residential.

(II) Commercial.

(III) Industrial.

(IV) Agricultural.

(V) Recreational.

(VI) Conservation.

(VII) Educational.

(VIII) Public.

b. The following areas shall also be shown on the future land use map or map series, if applicable:

(I) Historic district boundaries and designated historically significant properties.

(II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.

(III) Multimodal transportation district boundaries.

(IV) Mixed-use categories.

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c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:

(I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.

(II) Beaches and shores, including estuarine systems.

(III) Rivers, bays, lakes, floodplains, and harbors.

(IV) Wetlands.

(V) Minerals and soils.

(VI) Coastal high hazard areas.

Section 30. Paragraph (c) of subsection (3), paragraph (e) of subsection (4), paragraph (d) of subsection (5), paragraph (d) of subsection (7), and subsection (8) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(c)1. The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis,

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shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under subparagraph (b)2.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of an amendment package. For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. An amendment adopted under this paragraph does not become effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(4) STATE COORDINATED REVIEW PROCESS.—

(e) *Local government review of comments; adoption of plan or amendments and transmittal.*—

1. The local government shall review the report submitted to it by the state land planning agency, if any, and written comments submitted to it by any other person, agency, or

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government. The local government, upon receipt of the report from the state land planning agency, shall hold its second public hearing, which shall be a hearing to determine whether to adopt the comprehensive plan or one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails to hold the second hearing within 180 days after receipt of the state land planning agency's report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under paragraph (c).

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of a plan or plan amendment package. For purposes of completeness, a plan or plan amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local

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government deems appropriate.

4. After the state land planning agency makes a determination of completeness regarding the adopted plan or plan amendment, the state land planning agency shall have 45 days to determine if the plan or plan amendment is in compliance with this act. Unless the plan or plan amendment is substantially changed from the one commented on, the state land planning agency's compliance determination shall be limited to objections raised in the objections, recommendations, and comments report. During the period provided for in this subparagraph, the state land planning agency shall issue, through a senior administrator or the secretary, a notice of intent to find that the plan or plan amendment is in compliance or not in compliance. The state land planning agency shall post a copy of the notice of intent on the agency's Internet website. Publication by the state land planning agency of the notice of intent on the state land planning agency's Internet site shall be prima facie evidence of compliance with the publication requirements of this subparagraph.

5. A plan or plan amendment adopted under the state coordinated review process shall go into effect pursuant to the state land planning agency's notice of intent. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(d) ~~If the administrative law judge recommends that the~~

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~~amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. The Department of Economic Opportunity ~~Administration Commission~~ shall make every effort to enter a final order expeditiously, but at a minimum within the time period provided by s. 120.569.

(7) MEDIATION AND EXPEDITIOUS RESOLUTION.—

(d) For a case following the procedures under this subsection, absent written consent of the parties or a showing of extraordinary circumstances, if the administrative law judge recommends that the amendment be found not in compliance, the Department of Economic Opportunity must ~~Administration Commission shall~~ issue a final order within 45 days after issuance of the recommended order. If the administrative law judge recommends that the amendment be found in compliance, the state land planning agency shall issue a final order within 45 days after issuance of the recommended order. If the state land planning agency fails to timely issue a final order, the recommended order finding the amendment to be in compliance immediately becomes the final order.

(8) DEPARTMENT OF ECONOMIC OPPORTUNITY ~~ADMINISTRATION COMMISSION~~.—

(a) If the Department of Economic Opportunity ~~Administration Commission~~, upon a hearing pursuant to subsection (5), finds that the comprehensive plan or plan amendment is not in compliance with this act, the department must ~~commission shall~~ specify remedial actions that would bring the comprehensive plan or plan amendment into compliance.

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(b) The Department of Economic Opportunity ~~commission~~ may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1. The department ~~commission~~ may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The department's ~~commission~~ order may also specify that the local government is not eligible for grants administered under the following programs:

a. The Florida Small Cities Community Development Block Grant Program, as authorized by ss. 290.0401-290.048.

b. The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c. Revenue sharing pursuant to ss. 206.60, 210.20, and 218.61 and chapter 212, to the extent not pledged to pay back bonds.

2. If the local government is one which is required to include a coastal management element in its comprehensive plan pursuant to s. 163.3177(6)(g), the department's ~~commission~~ order may also specify that the local government is not eligible for funding pursuant to s. 161.091. The department's ~~commission~~ order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. 161.053 and when the Board of Trustees of the Internal

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Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3. The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and except as provided in this paragraph.

Section 31. Paragraph (c) of subsection (1) and paragraphs (b) and (c) of subsection (5) of section 163.3187, Florida Statutes, are amended to read:

163.3187 Process for adoption of small scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or ~~by the Administration Commission~~ pursuant to s. 380.05(1).

(5)

(b)~~1. If the administrative law judge recommends that the small scale development amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. ~~If the administrative law judge recommends that the small scale development amendment be~~

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~~found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.~~

~~2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.~~

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the Department of Economic Opportunity ~~state land planning agency or the Administration Commission, respectively,~~ issues a final order determining that the adopted small scale development amendment is in compliance.

Section 32. Subsection (6) of section 163.3213, Florida Statutes, is amended to read:

163.3213 Administrative review of land development regulations.—

(6) If the administrative law judge in his or her order finds the land development regulation to be inconsistent with the local comprehensive plan, the order will be submitted to the Department of Economic Opportunity ~~Administration Commission~~. An appeal pursuant to s. 120.68 may not be taken until the Department of Economic Opportunity makes a final determination of the recommended order ~~Administration Commission acts pursuant to this subsection~~. The Department of Economic Opportunity shall make a final determination ~~Administration Commission shall hold~~

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~~a hearing~~ no earlier than 30 days or later than 60 days after the administrative law judge renders his or her final order. The sole issue before the Department of Economic Opportunity ~~Administration Commission~~ shall be the extent to which any of the sanctions described in s. 163.3184(8)(a) or (b)1. or 2. are ~~shall be~~ applicable to the local government whose land development regulation has been found to be inconsistent with its comprehensive plan. If a land development regulation is not challenged within 12 months, it must ~~shall~~ be deemed to be consistent with the adopted local plan.

Section 33. Paragraph (e) of subsection (3) of section 163.3245, Florida Statutes, is amended to read:

163.3245 Sector plans.—

(3) Sector planning encompasses two levels: adoption pursuant to s. 163.3184 of a long-term master plan for the entire planning area as part of the comprehensive plan, and adoption by local development order of two or more detailed specific area plans that implement the long-term master plan and within which s. 380.06 is waived.

(e) Whenever a local government issues a development order approving a detailed specific area plan, a copy of such order shall be rendered to the state land planning agency and the owner or developer of the property affected by such order, as prescribed by rules of the state land planning agency for a development order for a development of regional impact. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the

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detailed specific area plan is not consistent with the comprehensive plan or with the long-term master plan adopted pursuant to this section. The appellant shall furnish a copy of the petition to the opposing party, as the case may be, and to the local government that issued the order. The filing of the petition stays the effectiveness of the order until after completion of the appeal process. However, if a development order approving a detailed specific area plan has been challenged by an aggrieved or adversely affected party in a judicial proceeding pursuant to s. 163.3215, and a party to such proceeding serves notice to the state land planning agency, the state land planning agency shall dismiss its appeal to the division ~~commission~~ and shall have the right to intervene in the pending judicial proceeding pursuant to s. 163.3215. Proceedings for administrative review of an order approving a detailed specific area plan shall be conducted consistent with s. 380.07(5). The division ~~commission~~ shall issue a decision granting or denying permission to develop pursuant to the long-term master plan and the standards of this part and may attach conditions or restrictions to its decisions.

Section 34. Subsections (4) and (5) of section 166.241, Florida Statutes, are amended to read:

166.241 Fiscal years, budgets, appeal of municipal law enforcement agency budget, and budget amendments.—

(4)(a) If the tentative budget of a municipality contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an

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appeal by petition to the head of the Department of Law Enforcement ~~Administration Commission~~ within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply with the Executive Office of the Governor and shall serve a copy of such reply to the petitioner.

(c) The Executive Office of the Governor may, in accordance with chapter 120, adopt rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days, shall approve the action of the governing body of the municipality or amend or

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modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

Section 35. Subsections (1) and (2) of section 186.008, Florida Statutes, are amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Department of Economic Opportunity ~~Administration Commission~~, any proposed revisions to the state comprehensive plan deemed necessary. The Governor shall transmit his or her recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.

(2) On or before December 15 of every odd-numbered year, the Department of Economic Opportunity ~~Administration Commission~~ shall review the proposed revisions to the state comprehensive plan prepared by the Governor. The department ~~commission~~ shall provide ~~adopt a resolution, after~~ public notice and a reasonable opportunity for public comment, and transmit the proposed revisions to the state comprehensive plan to the Legislature, together with any amendments approved by the department ~~commission~~ and any dissenting reports. The department ~~commission~~ shall identify those portions of the plan that are not based on existing law.

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Section 36. Section 186.515, Florida Statutes, is amended to read:

186.515 Creation of regional planning councils under chapter 163.—Nothing in ss. 186.501-186.507, 186.513, and this section is intended to repeal or limit the provisions of chapter 163; however, the local general-purpose governments serving as voting members of the governing body of a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section are not authorized to create a regional planning council pursuant to chapter 163 unless an agency, other than a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section, is designated to exercise the powers and duties in any one or more of ss. 163.3164 and 380.031(14) ~~ss. 163.3164 and 380.031(15)~~; in which case, such a regional planning council is also without authority to exercise the powers and duties in s. 163.3164 or s. 380.031(14) ~~s. 380.031(15)~~.

Section 37. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 190.005, Florida Statutes, are amended to read:

190.005 Establishment of district.—

(1) The exclusive and uniform method for the establishment of a community development district with a size of 2,500 acres or more shall be pursuant to a rule, adopted under chapter 120 by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, granting a petition for the establishment of a community development district.

(a) A petition for the establishment of a community development district shall be filed by the petitioner with the

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Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. The petition shall contain:

1. A metes and bounds description of the external boundaries of the district. Any real property within the external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district.

2. The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(14), the written consent by such governmental entity.

3. A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006.

4. The proposed name of the district.

5. A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.

6. Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be

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submitted in good faith but are not binding and may be subject to change.

7. A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Community Planning Act.

8. A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.

(b) Before ~~Prior to~~ filing the petition, the petitioner shall:

1. Pay a filing fee of $15,000 to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of the land within, the external boundaries of the district.

2. Submit a copy of the petition to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of, the land within the external boundaries of the district.

3. If land to be included within a district is located partially within the unincorporated area of one or more counties and partially within a municipality or within two or more municipalities, pay a $15,000 filing fee to each entity.

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Districts established across county boundaries shall be required to maintain records, hold meetings and hearings, and publish notices only in the county where the majority of the acreage within the district lies.

(c) Such county and each such municipality required by law to receive a petition may conduct a public hearing to consider the relationship of the petition to the factors specified in paragraph (e). The public hearing shall be concluded within 45 days after the date the petition is filed unless an extension of time is requested by the petitioner and granted by the county or municipality. The county or municipality holding such public hearing may by resolution express its support of, or objection to the granting of, the petition by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. A resolution must base any objection to the granting of the petition upon the factors specified in paragraph (e). Such county or municipality may present its resolution of support or objection at the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ hearing and shall be afforded an opportunity to present relevant information in support of its resolution.

(d) A local public hearing on the petition shall be conducted by a hearing officer in conformance with the applicable requirements and procedures of the Administrative Procedure Act. The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph (e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice

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of the hearing to be published for 4 successive weeks on a newspaper's website and the statewide legal notice website provided in s. 50.0211(5) or, if published in print, in a newspaper at least once a week for the 4 successive weeks immediately before ~~prior to~~ the hearing as provided in chapter 50. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. If published in the print edition of a newspaper, the advertisement may not be placed in the portion of the newspaper where legal notices and classified advertisements appear. The advertisement must be published in a newspaper in the county and of general interest and readership in the community pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least weekly, unless the only newspaper in the community is published less than weekly. If the notice is published in the print edition of the newspaper, the map must also be included in any online advertisement pursuant to s. 50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

(e) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall consider the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments as provided in paragraph (c), and the following factors and make a

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determination to grant or deny a petition for the establishment of a community development district:

1. Whether all statements contained within the petition have been found to be true and correct.

2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

5. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

6. Whether the area that will be served by the district is amenable to separate special-district government.

(f) The Department of Economic Opportunity may ~~Florida Land and Water Adjudicatory Commission shall~~ not adopt any rule which would expand, modify, or delete any provision of the uniform community development district charter as set forth in ss. 190.006-190.041, except as provided in s. 190.012. A rule establishing a community development district shall only contain the following:

1. A metes and bounds description of the external

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boundaries of the district and any real property within the external boundaries of the district which is to be excluded.

2. The names of five persons designated to be the initial members of the board of supervisors.

3. The name of the district.

(g) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules setting forth its procedures for considering petitions to establish, expand, modify, or delete uniform community development districts or portions thereof consistent with ~~the provisions of~~ this section.

(2) The exclusive and uniform method for the establishment of a community development district of less than 2,500 acres in size or a community development district of up to 7,000 acres in size located within a connected-city corridor established pursuant to s. 163.3246(13) shall be pursuant to an ordinance adopted by the county commission of the county having jurisdiction over the majority of land in the area in which the district is to be located granting a petition for the establishment of a community development district as follows:

(e) If all of the land in the area for the proposed district is within the territorial jurisdiction of a municipal corporation, then the petition requesting establishment of a community development district under this act shall be filed by the petitioner with that particular municipal corporation. In such event, the duties of the county, hereinabove described, in action upon the petition shall be the duties of the municipal corporation. If any of the land area of a proposed district is within the land area of a municipality, the county commission may not create the district without municipal approval. If all

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of the land in the area for the proposed district, even if less than 2,500 acres, is within the territorial jurisdiction of two or more municipalities or two or more counties, except for proposed districts within a connected-city corridor established pursuant to s. 163.3246(13), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ and proceed in accordance with subsection (1).

(f) Notwithstanding any other provision of this subsection, within 90 days after a petition for the establishment of a community development district has been filed pursuant to this subsection, the governing body of the county or municipal corporation may transfer the petition to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, which shall make the determination to grant or deny the petition as provided in subsection (1). A county or municipal corporation shall have no right or power to grant or deny a petition that has been transferred to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

Section 38. Paragraph (d) of subsection (1) and subsection (10) of section 190.046, Florida Statutes, are amended to read:

190.046 Termination, contraction, or expansion of district.—

(1) A landowner or the board may petition to contract or expand the boundaries of a community development district in the following manner:

(d)1. For those districts initially established by administrative rule pursuant to s. 190.005(1), the petition

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shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

2. Before ~~Prior to~~ filing the petition, the petitioner shall pay a filing fee of $1,500, to the county if the district or the land to be added or deleted from the district is located within an unincorporated area or to the municipality if the district or the land to be added or deleted is located within an incorporated area, and to each municipality the boundaries of which are contiguous with or contain all or a portion of the land within or to be added to or deleted from the external boundaries of the district. The petitioner shall submit a copy of the petition to the same entities entitled to receive the filing fee. In addition, if the district is not the petitioner, the petitioner shall file the petition with the district board of supervisors.

3. Each county and each municipality shall have the option of holding a public hearing as provided by s. 190.005(1)(c). However, the public hearing shall be limited to consideration of the contents of the petition and whether the petition for amendment should be supported by the county or municipality.

4. The district board of supervisors shall, in lieu of a hearing officer, hold the local public hearing provided for by s. 190.005(1)(d). This local public hearing shall be noticed in the same manner as provided in s. 190.005(1)(d). Within 45 days after ~~of~~ the conclusion of the hearing, the district board of supervisors shall transmit to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ the full record of the local hearing, the transcript of the hearing, any resolutions adopted by the local general-purpose

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governments, and its recommendation whether to grant the petition for amendment. The Department of Economic Opportunity ~~commission~~ shall then proceed in accordance with s. 190.005(1)(e).

5. A rule amending a district boundary shall describe the land to be added or deleted.

(10) If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district or, if the district was established by rule of the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, the district may be dissolved by repeal of such rule of the department ~~commission~~.

Section 39. Paragraph (b) of subsection (1) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(1)

(b) The Division of Administrative Hearings ~~Governor and Cabinet, sitting as the Administration Commission,~~ may hear appeals from the final action of the department upon a written request being filed by the property appraiser or the presiding officer of the county commission no later than 15 days after the conclusion of the hearing held pursuant to s. 200.065(2)(d). The filing of an appeal does not relieve the county commission of its obligation to fund the department-approved final budget during the pendency of the appeal. The Department of Management

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Services ~~Administration Commission~~ may amend the budget if it finds that any aspect of the budget is unreasonable in light of the workload of the office of the property appraiser in the county under review. The budget request as approved by the department and as amended by the Department of Management Services ~~commission~~ shall become the operating budget of the property appraiser for the ensuing fiscal year beginning October 1, except that the budget so approved may subsequently be amended under the same procedure. After final approval, the property appraiser shall make no transfer of funds between accounts without the written approval of the department. However, all moneys received by property appraisers in complying with chapter 119 shall be accounted for in the same manner as provided for in s. 218.36, for moneys received as county fees and commissions, and any such moneys may be used and expended in the same manner and to the same extent as funds budgeted for the office and no budget amendment shall be required.

Section 40. Effective July 1, 2022, subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~nothing herein shall be construed as requiring~~ the department to provide as a public record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that the foregoing information shall be exempt from ~~the provisions of~~ s. 119.07(1) and shall be considered confidential pursuant to s. 213.053;

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however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, shall apply if the department makes such information available. An ~~Any~~ officer, an employee, or a former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 41. Effective July 1, 2022, paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the

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time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

Section 42. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting

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from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related

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costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" means facilities as defined in s. 163.3164(38) ~~s. 163.3164(39)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of

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emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property,

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including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 43. Subsection (1) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(1) The issuance of Everglades restoration bonds to finance or refinance the cost of the acquisition and improvement of land, water areas, and related property interests and resources for the purpose of implementing the Comprehensive Everglades Restoration Plan under s. 373.470, the Lake Okeechobee Watershed Protection Plan under s. 373.4595, the Caloosahatchee River Watershed Protection Plan under s. 373.4595, the St. Lucie River

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Watershed Protection Plan under s. 373.4595, the City of Key West Area of Critical State Concern as designated ~~by the Administration Commission~~ under s. 380.05, and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 in order to restore and conserve natural systems through implementation of water management projects, including projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects, projects to protect water resources available to the Florida Keys, including wastewater management projects identified in the Keys Wastewater Plan, dated November 2007, and submitted to the Florida House of Representatives on December 4, 2007, is authorized in accordance with s. 11(e), Art. VII of the State Constitution.

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding $100 million per fiscal year unless:

1. The Department of Environmental Protection has requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or

2. The Legislature authorizes an additional amount of bonds not to exceed $200 million, and limited to $50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program and the City of Key West Area of Critical State Concern. Proceeds from the bonds shall be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys

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Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys.

(b) The duration of Everglades restoration bonds may not exceed 20 annual maturities and must mature by December 31, 2047. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution for bonds issued on or after July 1, 2015. Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues before authorizing the issuance of bonds under this section.

Section 44. Subsection (1) of section 215.95, Florida Statutes, is amended to read:

215.95 Financial Management Information Board.—

(1) There is created~~, as part of the Administration Commission,~~ the Financial Management Information Board. The board shall be composed of the Governor, the Chief Financial Officer, the Commissioner of Agriculture, and the Attorney General. The Governor shall be chair of the board. The Governor or the Chief Financial Officer may call a meeting of the board at any time the need arises.

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Section 45. Subsection (2) of section 216.182, Florida Statutes, is amended to read:

216.182 Approval of fixed capital outlay program plan.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the determination of the program plan by the Executive Office of the Governor pursuant to subsection (1) is contrary to the orderly implementation of legislative authorization shall have the right to have the issue reviewed by the Department of Management Services after a substantial interest hearing by the Division of Administrative Hearings ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees of the Legislature may advise the Department of Management Services and the Division of Administrative Hearings ~~Administration Commission~~ on the issue.

Section 46. Subsection (2) of section 216.192, Florida Statutes, is amended to read:

216.192 Release of appropriations; revision of budgets.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the plan for releases of funds appropriated to it is contrary to the approved operating budget shall have the right to have the issue reviewed by an administrative law judge of the Division of Administrative Hearings, who shall issue a final order on the issue ~~the Administration Commission which shall decide such issue by majority vote~~.

Section 47. Section 259.045, Florida Statutes, is amended

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to read:

259.045 Purchase of lands in areas of critical state concern; recommendations by department and land authorities.—Within 45 days after the designation of ~~Administration Commission designates~~ an area as an area of critical state concern under s. 380.05, and annually thereafter, the Department of Environmental Protection shall consider the recommendations of the state land planning agency pursuant to s. 380.05(1)(a) relating to purchase of lands within an area of critical state concern or lands outside an area of critical state concern that directly impact an area of critical state concern, which may include lands used to preserve and protect water supply, and shall make recommendations to the board with respect to the purchase of the fee or any lesser interest in any such lands that are:

(1) Environmentally endangered lands;

(2) Outdoor recreation lands;

(3) Lands that conserve sensitive habitat;

(4) Lands that protect, restore, or enhance nearshore water quality and fisheries;

(5) Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; or

(6) Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2) or if the parcel is wholly or partially, at the time of acquisition, on one of the board's approved acquisition lists

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established pursuant to this chapter. For the purposes of this subsection, if a parcel is estimated to be worth $500,000 or less and the director of the Division of State Lands finds that the cost of an outside appraisal is not justified, a comparable sales analysis, an appraisal prepared by the Division of State Lands, or other reasonably prudent procedures may be used by the Division of State Lands to estimate the value of the parcel, provided the public's interest is reasonably protected.

The department, a local government, a special district, or a land authority within an area of critical state concern may make recommendations with respect to additional purchases which were not included in the state land planning agency recommendations.

Section 48. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway

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Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 49. Paragraph (c) of subsection (7) of section 286.101, Florida Statutes, is amended to read:

286.101 Foreign gifts and contracts.—

(7)

(c) In addition to any fine assessed under paragraph (a), a final order determining a third or subsequent violation by an entity other than a state agency or political subdivision shall

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automatically disqualify the entity from eligibility for any grant or contract funded by a state agency or any political subdivision until such ineligibility is lifted by the Department of Management Services ~~Administration Commission~~ for good cause. The Department of Financial Services shall include and maintain an active and current list of such ineligible entities on the Internet website maintained under subsection (5).

Section 50. Paragraphs (b) and (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

288.975 Military base reuse plans.—

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(b) If resolution of the dispute cannot be achieved within 45 days, the petitioning parties and host local government may extend such dispute resolution for up to 45 days. If resolution of the dispute cannot be achieved with the above timeframes, the issues in dispute shall be submitted to the state land planning agency. If the issues stem from multiple petitions, the mediation shall be consolidated into a single proceeding. The state land planning agency shall have 45 days to hold informal hearings, if necessary, identify the issues in dispute, prepare a record of the proceedings, and provide recommended solutions to the parties. If the parties fail to implement the recommended solutions within 45 days, the state land planning agency must ~~shall~~ submit the matter to the Division of Administrative Hearings ~~Administration Commission~~ for final action. The report to the Division of Administrative Hearings must ~~Administration~~

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~~Commission shall~~ list each issue in dispute, describe the nature and basis for each dispute, identify the recommended solutions provided to the parties, and make recommendations for actions the Division of Administrative Hearings ~~Administration Commission~~ should take to resolve the disputed issues.

(d) Within 45 days after receiving the report from the state land planning agency, the Division of Administrative Hearings ~~Administration Commission~~ shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Division of Administrative Hearings ~~Administration Commission~~ shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Division of Administrative Hearings ~~Administration Commission~~ incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government must ~~shall~~ amend its plan within 60 days after the issuance of the order. A public hearing on such amendment or amendments pursuant to s. 163.3184(11)(b)1. is not required. The final order of the Division of Administrative Hearings ~~Administration Commission~~ is subject to appeal pursuant to s. 120.68. If the order of the Division of Administrative Hearings ~~Administration Commission~~ is appealed, the time for the local government to amend its plan must ~~shall~~ be tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 51. Effective July 1, 2022, subsection (7) of

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section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of the state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-year term. A vacancy occurring during the term of a member appointed under this paragraph shall be filled only for the remainder of the unexpired term. Members of the board appointed

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under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within the state. As an alternative to physical appearance, the Department of Transportation shall allow a person requesting a hearing to appear remotely before the board via communications media technology as authorized by chapter 28-109, Florida Administrative Code, regardless of the physical location of the board proceeding.

Section 52. Effective July 1, 2022, subsections (1) and (2) of section 320.275, Florida Statutes, are amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(1) AUTOMOBILE DEALERS INDUSTRY ADVISORY BOARD.—The Automobile Dealers Industry Advisory Board is created within the

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Department of Highway Safety and Motor Vehicles. The board shall make recommendations on proposed legislation, make recommendations on proposed rules and procedures, present licensed motor vehicle dealer industry issues to the department for its consideration, consider any matters relating to the motor vehicle dealer industry presented to it by the department, and submit an annual report to the secretary ~~executive director~~ of the department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the

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Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The secretary ~~executive director~~ shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.

2. The secretary ~~executive director~~ shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the department.

3. As the initial terms expire, the secretary ~~executive director~~ shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.

4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.

(c) The board shall meet at least two times per year. Meetings may be called by the chair of the board or by the

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secretary ~~executive director~~ of the department. One meeting shall be held in the fall of the year to review legislative proposals. The board shall conduct all meetings in accordance with applicable Florida Statutes and shall keep minutes of all meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations.

Section 53. Effective July 1, 2022, subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. Every member but two must be a doctor of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

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Section 54. Section 331.353, Florida Statutes, is amended to read:

331.353 Rulemaking authority.—~~The Administration Commission and~~ State agencies shall have authority to adopt rules containing procedures for review of spaceport plans and amendments and development orders for projects applied for or issued under this act.

Section 55. Paragraph (b) of subsection (5) of section 336.025, Florida Statutes, is amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(5)

(b) Any dispute as to the determination by the county of distribution proportions shall be resolved through an appeal to the Division of Administrative Hearings ~~Administration Commission~~ in accordance with procedures developed by the Division of Administrative Hearings ~~commission~~. Pending final disposition of such proceeding, the tax shall be collected pursuant to this section, and such funds shall be held in escrow by the clerk of the circuit court of the county until final disposition.

Section 56. Subsection (1) of section 337.243, Florida Statutes, is amended to read:

337.243 Notification of land use changes in designated transportation corridors.—

(1) If a local government designates a transportation corridor that includes a facility on the State Highway System in its local government comprehensive plan and has adopted a transportation corridor management ordinance, the local

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governmental entity shall give reasonable notice by certified mail to the department before ~~prior to~~ approving any substantial zoning change or subdivision plat changes or granting of a building permit or development permit, as defined in s. 380.031(3) ~~s. 380.031(4)~~, for land use or the erection, alteration, or moving of a building for property within the designated transportation corridor which would substantially impair the viability of the corridor for future transportation uses. This notification requirement does ~~shall~~ not apply to any routine maintenance or emergency repairs to existing structures. Upon notification, the department shall determine whether to purchase the property affected or to initiate eminent domain proceedings. The department's determination does ~~shall~~ not affect the granting or denial of the permit by the local government. The local government may ~~shall~~ not be liable to the department for failure to make notification to the department pursuant to this section.

Section 57. Subsections (3) and (4) of section 369.305, Florida Statutes, are amended to read:

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(3) If the department determines that the local comprehensive plan and land development regulations as amended or supplemented comply with ~~the provisions of~~ subsection (1), the department must ~~shall~~ petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to confirm its determination. If the department determines that the amendments and any new land development regulations that a county has adopted do not

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meet the criteria established in subsection (1), or the department receives no amendments or new land development regulations and determines that the county's existing local comprehensive plan and land development regulations do not comply with ~~the provisions of~~ subsection (1), the department must ~~shall~~ petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to order the county to adopt such amendments to its local comprehensive plan or land development regulations or such new land development regulations as it deems necessary to meet the criteria in subsection (1). A determination or petition made by the department pursuant to this subsection is ~~shall~~ not ~~be~~ final agency action.

(4) The Department of Economic Opportunity ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission,~~ shall render an order on the petition. Any local government comprehensive plan amendments directly related to the requirements of this subsection and subsections (1), (2), and (3) may be initiated by a local planning agency and considered by the local governing body without regard to statutory or local ordinance limitations on the frequency of consideration of amendments to local comprehensive plans.

Section 58. Section 373.114, Florida Statutes, is amended to read:

373.114 ~~Land and Water Adjudicatory Commission;~~ Review of district rules and orders; department review of district rules.—

(1) Except as provided in subsection (2), the department has ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission, have~~ the exclusive authority to review any order or rule of a water management district, other than a

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rule relating to an internal procedure of the district or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57 or a rule that has been adopted after issuance of a final order resulting from an evidentiary hearing held under s. 120.56, to ensure consistency with the provisions and purposes of this chapter. Subsequent to the legislative ratification of the delineation methodology pursuant to s. 373.421(1), this subsection also shall apply to an order of ~~the department, or~~ a local government exercising delegated authority, pursuant to ss. 373.403-373.443, except an order pertaining to activities or operations subject to conceptual plan approval pursuant to chapter 378 or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57.

(a) Such review may be initiated by the department or by a party to the proceeding below by filing a request for review with the department ~~Land and Water Adjudicatory Commission~~ and serving a copy on ~~the department and on~~ any person named in the rule or order within 20 days after adoption of the rule or the rendering of the order. For the purposes of this section, the term "party" means any affected person who submitted oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the rule or order that are cognizable within the scope of the provisions and purposes of this chapter. In order for the department ~~commission~~ to accept a request for review initiated by a party below, with regard to a specific order, the department ~~three members of the commission~~ must determine on the basis of the record below that the activity authorized by the order would substantially affect natural resources of statewide

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or regional significance. Review of an order may also be accepted if the department determines ~~three members of the commission determine~~ that the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from the standpoint of agency precedent. The party requesting the department ~~commission~~ to review an order must allege with particularity, and the department ~~commission~~ must find, that:

1. The order is in conflict with statutory requirements; or

2. The order is in conflict with the requirements of a duly adopted rule.

(b) Review by the department ~~Land and Water Adjudicatory Commission~~ is appellate in nature and shall be based solely on the record below unless the department ~~commission~~ determines that a remand for a formal evidentiary proceeding is necessary to develop additional findings of fact. If there is no evidentiary administrative proceeding resulting from a remand or referral for findings of fact by the department ~~commission~~, then the facts contained in the proposed agency action or proposed water management district action, including any technical staff report, shall be deemed undisputed. The matter shall be heard by the department ~~commission~~ not more than 60 days after receipt of the request for review, unless waived by the parties; provided, however, such time limit shall be tolled by a referral or remand pursuant to this paragraph. The department ~~commission~~ may refer a request for review to the Division of Administrative Hearings for the production of findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that

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supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Alternatively, the department ~~commission~~ may remand the matter to the agency below for additional findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Such proceedings must be conducted and the findings transmitted to the department ~~commission~~ within 90 days after ~~of~~ the remand or referral.

(c) If the department ~~Land and Water Adjudicatory Commission~~ determines that a rule of a water management district is not consistent with the provisions and purposes of this chapter, it may require the water management district to initiate rulemaking proceedings to amend or repeal the rule. If the department ~~commission~~ determines that an order is not consistent with the provisions and purposes of this chapter, the department ~~commission~~ may rescind or modify the order or remand the proceeding for further action consistent with the order of the department ~~Land and Water Adjudicatory Commission~~ only if the department ~~commission~~ determines that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. In the case of an order which does not itself substantially affect natural resources of statewide or regional significance, but which raises issues of policy that have regional or statewide significance from the standpoint of agency precedent, the department ~~commission~~ may direct the district to initiate

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rulemaking to amend its rules to assure that future actions are consistent with the provisions and purposes of this chapter without modifying the order.

(d) In a review under this section of a construction permit issued pursuant to a conceptual permit under part IV, which conceptual permit is issued after July 1, 1993, a party to the review may not raise an issue which was or could have been raised in a review of the conceptual permit under this section.

(e) A request for review under this section may ~~shall~~ not be a precondition to the seeking of judicial review pursuant to s. 120.68 or the seeking of an administrative determination of rule validity pursuant to s. 120.56.

(f) The department ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules to set forth its procedures for reviewing an order or rule of a water management district consistent with ~~the provisions of~~ this section.

(g) For the purpose of this section, it shall be presumed that activity authorized by an order will not affect resources of statewide or regional significance if the proposed activity:

1. Occupies an area less than 10 acres in size, and

2. Does not create impervious surfaces greater than 2 acres in size, and

3. Is not located within 550 feet of the shoreline of a named body of water designated as Outstanding Florida Waters, and

4. Does not adversely affect threatened or endangered species.

This paragraph may ~~shall~~ not operate to hold that any activity

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that exceeds these limits is presumed to affect resources of statewide or regional significance. The determination of whether an activity will substantially affect resources of statewide or regional significance shall be made on a case-by-case basis, based upon facts contained in the record below.

(2) The department shall have the exclusive authority to review rules of the water management districts, other than rules relating to internal management of the districts, to ensure consistency with the water resource implementation rule as set forth in the rules of the department. Within 30 days after adoption or revision of any water management district rule, the department shall initiate a review of such rule pursuant to this section.

(a) Within 30 days after adoption of a rule, any affected person may request that a hearing be held before the secretary of the department, at which hearing evidence and argument may be presented relating to the consistency of the rule with the water resource implementation rule, by filing a request for hearing with the department and serving a copy on the water management district.

(b) If the department determines that the rule is inconsistent with the water resource implementation rule, it may order the water management district to initiate rulemaking proceedings to amend or repeal the rule.

(c) An order of the department requiring amendment or repeal of a rule may be appealed pursuant to s. 120.68 ~~to the Land and Water Adjudicatory Commission~~ by the water management district or any other party to the proceeding before the secretary.

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Section 59. Paragraph (c) of subsection (3) of section 373.139, Florida Statutes, is amended to read:

373.139 Acquisition of real property.—

(3) The initial 5-year work plan and any subsequent modifications or additions thereto shall be adopted by each water management district after a public hearing. Each water management district shall provide at least 14 days' advance notice of the hearing date and shall separately notify each county commission within which a proposed work plan project or project modification or addition is located of the hearing date.

(c) The Secretary of Environmental Protection shall release acquisition moneys from the appropriate account or trust fund to a district following receipt of a resolution adopted by the governing board identifying the lands being acquired and certifying that such acquisition is consistent with the 5-year work plan of acquisition and other provisions of this section. The governing board also shall provide to the Secretary of Environmental Protection a copy of all certified appraisals used to determine the value of the land to be purchased. Each parcel to be acquired must have at least one appraisal. Two appraisals are required when the estimated value of the parcel exceeds $1 million. However, when both appraisals exceed $1 million and differ significantly, a third appraisal may be obtained. If the purchase price is greater than the appraisal price, the governing board shall submit written justification for the increased price. The Secretary of Environmental Protection may withhold moneys for any purchase that is not consistent with the 5-year plan or the intent of this section or that is in excess of appraised value. The governing board may appeal any denial to

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the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission pursuant to s. 373.114~~.

Section 60. Subsection (1) of section 373.217, Florida Statutes, is amended to read:

373.217 Superseded laws and regulations.—

(1) It is the intent of the Legislature to provide a means whereby reasonable programs for the issuance of permits authorizing the consumptive use of particular quantities of water may be authorized by the Department of Environmental Protection, subject to judicial review and also subject to review ~~by the Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission~~ as provided in s. 373.114.

Section 61. Subsections (11) and (13) of section 373.2295, Florida Statutes, are amended to read:

373.2295 Interdistrict transfers of groundwater.—

(11) If, after the final order of the department or final agency action under this section, the proposed use of the site designated in the application for groundwater production, treatment, or transmission facilities does not conform with the existing zoning ordinances, a rezoning application may be submitted. If local authorities deny the application for rezoning, the applicant may appeal this decision to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~, which shall authorize a variance or nonconforming use to the existing comprehensive plan and zoning ordinances, unless the Department of Economic Opportunity ~~commission~~ determines after notice and hearing that such variance or nonconforming use is contrary to the public interest.

(13) When a consumptive use permit under this section is

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granted for water use beyond the boundaries of a local government from which or through which the groundwater is withdrawn or transferred and a local government denies a permit required under chapter 125 or chapter 153 for a facility or any infrastructure which produces, treats, transmits, or distributes such groundwater, the person or unit of government applying for the permit under chapter 125 or chapter 153 may appeal the denial to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~. The Department of Economic Opportunity ~~commission~~ shall review the local government action for consistency with this chapter and the interdistrict groundwater transfer permit and may reverse, modify, or approve the local government's action.

Section 62. Paragraph (b) of subsection (1) of section 373.4275, Florida Statutes, is amended to read:

373.4275 Review of consolidated orders.—

(1) Beginning on the effective date of the rules adopted under s. 373.427(1), review of any consolidated order rendered pursuant to s. 373.427(1) shall be governed by the provisions of s. 373.114(1). However, the term "party" shall mean any person who participated as a party in a proceeding under ss. 120.569 and 120.57 on the concurrently reviewed authorizations, permits, waivers, variances, or approvals, or any affected person who submitted to the department, water management district, or board of trustees oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the authorization, permit, waiver, variance, or approval, provided that such testimony was cognizable within the scope of this chapter or the applicable provisions of chapter

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161, chapter 253, or chapter 258 when the consolidated notice of intent includes an authorization, permit, waiver, variance, or approval under those chapters. In such cases, the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161, chapter 253, or chapter 258 when the consolidated order includes an authorization, permit, waiver, variance, or approval under those chapters. If the consolidated order subject to review includes approval or denial of proprietary authorization to use submerged lands on which the board of trustees has previously acted, as described in s. 373.427(2), the scope of review under this section shall not encompass such proprietary decision, but the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161 when the consolidated order includes a permit, waiver, or approval under that chapter.

(b) If a consolidated order includes proprietary authorization under chapter 253 or chapter 258 to use submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund for an activity for which the authority has been delegated to take final agency action without action of the board of trustees, the following additional provisions and exceptions to s. 373.114(1) apply:

1. The Governor and Cabinet shall sit ~~concurrently~~ as ~~the Land and Water Adjudicatory Commission and~~ the Board of Trustees of the Internal Improvement Trust Fund in exercising the exclusive authority to review the order;

2. The review may also be initiated by the Governor or any member of the Cabinet within 20 days after the rendering of the order in which case the other provisions of s. 373.114(1)(a)

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regarding acceptance of a request for review do not apply; and

3. If the Governor and Cabinet find that an authorization to use submerged lands is not consistent with chapter 253 or chapter 258, any authorization, permit, waiver, or approval authorized or granted by the consolidated order must be rescinded or modified or the proceeding must be remanded for further action consistent with the order issued under this section.

Section 63. Subsection (6) of section 373.703, Florida Statutes, is amended to read:

373.703 Water production; general powers and duties.—In the performance of, and in conjunction with, its other powers and duties, the governing board of a water management district existing pursuant to this chapter:

(6) May provide water and financial assistance to regional water supply authorities, but may not provide water to counties and municipalities which are located within the area of such authority without the specific approval of the authority or, in the event of the authority's disapproval, the approval of the Governor and Cabinet ~~sitting as the Land and Water Adjudicatory Commission~~. The district may supply water at rates and upon terms mutually agreed to by the parties or, if they do not agree, as set by the governing board and specifically approved by the <u>department</u> ~~Governor and Cabinet sitting as the Land and Water Adjudicatory Commission~~.

Section 64. Paragraph (c) of subsection (1) of section 377.2425, Florida Statutes, is amended to read:

377.2425 Manner of providing security for geophysical exploration, drilling, and production.—

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(1) Prior to granting a permit to conduct geophysical operations; drilling of exploratory, injection, or production wells; producing oil and gas from a wellhead; or transporting oil and gas through a field-gathering system, the department shall require the applicant or operator to provide surety that these operations will be conducted in a safe and environmentally compatible manner.

(c) An applicant for a drilling or operating permit for operations planned in coastal waters that by their nature warrant greater surety shall provide surety only in accordance with paragraph (a), or similar proof of financial responsibility other than as provided in paragraph (b). For all such applications, including applications pending at the effective date of this act and notwithstanding ~~the provisions of~~ paragraph (b), ~~the Governor and Cabinet in their capacity as the Administration Commission, at the recommendation of~~ the Department of Environmental Protection~~,~~ shall set a reasonable amount of surety required under this subsection. The surety amount shall be based on the projected cleanup costs and natural resources damages resulting from a maximum oil spill and adverse hydrographic and atmospheric conditions that would tend to transport the oil into environmentally sensitive areas, as determined by the Department of Environmental Protection.

Section 65. Subsection (1) of section 380.031, Florida Statutes, is amended to read:

380.031 Definitions.—As used in this chapter:

~~(1) "Administration commission" or "commission" means the Governor and the Cabinet; and for purposes of this chapter the commission shall act on a simple majority.~~

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Section 66. Paragraph (b) of subsection (2) of section 380.032, Florida Statutes, is amended to read:

380.032 State land planning agency; powers and duties.—The state land planning agency shall have the power and the duty to:

(2)

(b) Within 20 days following adoption, any substantially affected party may initiate review of any rule adopted by the state land planning agency interpreting the guidelines and standards by filing a request for review with the Division of Administrative Hearings ~~Administration Commission~~ and serving a copy on the state land planning agency. Filing a request for review shall stay the effectiveness of the rule pending a decision by the Division of Administrative Hearings ~~Administration Commission~~. Within 45 days following receipt of a request for review, the Division of Administrative Hearings ~~commission~~ shall either reject the rule or approve the rule, with or without modification.

Section 67. Subsections (3), (4), and (5) of section 380.045, Florida Statutes, are amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(3) Not later than 12 months after its appointment by the Governor, the committee shall either adopt a proposed voluntary resource planning and management program for the area under study or recommend that a voluntary resource planning and management program not be adopted. The proposed voluntary resource planning and management program shall contain the committee findings with respect to problems that endanger those resources, facilities, and areas described in s. 380.05(2) and

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shall contain detailed recommendations for state, regional, and local governmental actions necessary to resolve current and prevent future problems identified by the committee. A major objective of the proposed voluntary resource planning and management program shall be the effective coordination of state, regional, and local planning; program implementation; and regulatory activities for comprehensive resource management. The committee shall submit the proposed voluntary resource planning and management program to the head of the state land planning agency at the Department of Economic Opportunity~~, who shall transmit the program along with the recommendations of the agency for monitoring and enforcing the program, as well as any other recommendations deemed appropriate, to the Administration Commission~~.

(4) The Department of Economic Opportunity ~~Administration Commission~~ shall by resolution approve, approve as modified, or reject the proposed voluntary resource planning and management program and state land planning agency recommendations; and the Department of Economic Opportunity ~~Administration Commission~~ shall request each state or regional agency that is responsible for implementing a portion of an approved program to conduct its programs and regulatory activities in a manner consistent with the approved program. Each state and regional agency involved in implementing the program shall cooperate to the maximum extent possible in ensuring that the program is given full effect.

(5) The state land planning agency shall monitor ~~report to the Administration Commission within 12 months of the approval of the program by the commission concerning~~ the implementation and the effects of the approved voluntary resource planning and

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management program, which. ~~The report~~ shall include, but is ~~shall~~ not ~~be~~ limited to:

(a) An assessment of state agency compliance with the program, including the degree to which the program recommendations have been integrated into agency planning, program implementation, regulatory activities, and rules;

(b) An assessment of the compliance by each affected local government with the program;

(c) An evaluation of state, regional, and local monitoring and enforcement activities and recommendations for improving such activities; and

(d) A determination ~~recommendation~~ as to whether ~~or not~~ all or any portion of the study area should be designated an area of critical state concern pursuant to s. 380.05.

The state land planning agency may engage in additional monitoring ~~make such other reports to the commission~~ as it deems necessary, including determining ~~recommending~~ that all or any portion of the study area be designated an area of critical state concern because of special circumstances in the study area or in the implementation of the approved voluntary resource planning and management program.

Section 68. Subsections (1), (3), (4), (5), (8) through (12), (15), and (22) of section 380.05, Florida Statutes, are amended to read:

380.05 Areas of critical state concern.—

(1)(a) The state land planning agency may from time to time determine ~~recommend to the Administration Commission~~ specific areas of critical state concern. In its determination

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~~recommendation~~, the agency shall include recommendations and findings with respect to the purchase of lands situated within the boundaries of the proposed area as environmentally endangered lands and outdoor recreation lands under the Land Conservation Program. The agency also shall include any report or recommendation of a resource planning and management committee appointed pursuant to s. 380.045; the dangers that would result from uncontrolled or inadequate development of the area and the advantages that would be achieved from the development of the area in a coordinated manner; a detailed boundary description of the proposed area; specific principles for guiding development within the area; an inventory of lands owned by the state, federal, county, and municipal governments within the proposed area; and a list of the state agencies with programs that affect the purpose of the designation. The agency shall recommend actions which the local government and state and regional agencies must accomplish in order to implement the principles for guiding development. These actions may include, but need not be limited to, revisions of the local comprehensive plan and adoption of land development regulations, density requirements, and special permitting requirements.

(b) Within 45 days following completion of its determination ~~receipt of a recommendation from the agency~~, the Department of Economic Opportunity ~~commission~~ shall either reject the determination ~~recommendation~~ as tendered or adopt the determination ~~recommendation~~ with or without modification and by rule designate the area of critical state concern. Any rule that designates an area of critical state concern must include:

1. A detailed boundary description of the area.

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2. Principles for guiding development.

3. A clear statement of the purpose for the designation.

4. A precise checklist of actions which, when implemented, will result in repeal of the designation by the Department of Economic Opportunity ~~Administration Commission~~, and the agencies or entities responsible for taking those actions.

5. A list of those issues or programs for which mechanisms must be in place to assure ongoing implementation of the actions taken to result in repeal of the designation.

6. A list of the state agencies which, in addition to those specified in subsection (22), administer programs that affect the purpose of the designation.

The rule shall become effective 20 days after being filed with the Secretary of State, except that an emergency rule adopted by the Department of Economic Opportunity ~~commission~~ and designating an area of critical state concern shall become effective immediately on being filed. Any rule adopted pursuant to this paragraph shall be presented to the Legislature for review pursuant to paragraph (c). A statement of estimated regulatory costs prepared pursuant to s. 120.541 may ~~shall~~ not be a ground for a challenge of the rule; however, a landowner may ~~shall~~ not be precluded from using adverse economic results as grounds for challenge. Such principles for guiding development shall apply to any development undertaken subsequent to the legislative review pursuant to paragraph (c) of the designation of the area of critical state concern with or without modification but before ~~prior to~~ the adoption of land development rules and regulations or a local comprehensive plan

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for the critical area pursuant to subsections (6) and (8). ~~No~~ Boundaries or principles for guiding development may not ~~shall~~ be adopted without a specific finding by the Department of Economic Opportunity ~~commission~~ that the boundaries or principles are consistent with the purpose of the designation. The Department of Economic Opportunity ~~commission~~ is not authorized to adopt any rule that would provide for a moratorium on development in any area of critical state concern.

(c) A rule adopted by the Department of Economic Opportunity ~~commission~~ pursuant to paragraph (b) designating an area of critical state concern and principles for guiding development shall be submitted to the President of the Senate and the Speaker of the House of Representatives for review no later than 30 days before ~~prior to~~ the next regular session of the Legislature. The Legislature may reject, modify, or take no action relative to the adopted rule. In its deliberations, the Legislature may consider, among other factors, whether a resource planning and management committee has established a program pursuant to s. 380.045. In addition to any other data and information required pursuant to this chapter, each rule presented to the Legislature shall include a detailed legal description of the boundary of the area of critical state concern, proposed principles for guiding development, and a detailed statement of how the area meets the criteria for designation as provided in subsection (2).

(d) If, after the repeal of the boundary designation of an area of critical state concern pursuant to subsection (15), the state land planning agency determines that the administration of the local land development regulations or a local comprehensive

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plan within a formerly designated area is inadequate to protect the former area of critical state concern, then the state land planning agency may redesignate it ~~recommend to the commission that the area be redesignated~~ as an area of critical state concern. ~~Within 45 days following the receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the same with or without modification.~~ The Department of Economic Opportunity ~~commission~~ may, by rule, make such redesignation effective immediately, at which time the boundaries, regulations, and plans in effect at the time the previous designation was repealed shall be reinstated. Within 90 days after ~~of~~ such redesignation, the Department of Economic Opportunity ~~commission~~ shall begin rulemaking procedures to designate the area an area of critical state concern under paragraph (b).

(3) Each regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. Each regional planning agency shall solicit from the local governments within its jurisdiction suggestions as to areas to be recommended. A local government in an area where there is no regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. If the state land planning agency does not recommend to the Department of Economic Opportunity ~~commission~~ as an area of critical state concern an area substantially similar to one that has been

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recommended, it must ~~shall~~ respond in writing as to its reasons therefor.

(4) Before making a determination ~~Prior to submitting any recommendation to the commission~~ under subsection (1), the state land planning agency shall give notice to any committee appointed pursuant to s. 380.045 and to all local governments and regional planning agencies that include within their boundaries any part of any area of critical state concern proposed to be designated by the rule, in addition to any notice otherwise required under chapter 120.

(5) After the Department of Economic Opportunity ~~commission~~ adopts a rule designating the boundaries of, and principles for guiding development in, an area of critical state concern and within 180 days after ~~of~~ such adoption, the local government having jurisdiction may submit to the state land planning agency its existing land development regulations and local comprehensive plan for the area, if any, or shall prepare, adopt, and submit the new or modified regulations and plan, the local government taking into consideration the principles set forth in the rule designating the area.

(8) If any local government fails to submit land development regulations or a local comprehensive plan, or if the regulations or plan or plan amendment submitted do not comply with the principles for guiding development set out in the rule designating the area of critical state concern, within 120 days after the adoption of the rule designating an area of critical state concern, or within 120 days after the issuance of a recommended order on the compliance of the plan or plan amendment pursuant to s. 163.3184, or within 120 days after the

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effective date of an order rejecting a proposed land development regulation, the state land planning agency shall determine ~~submit to the commission recommended~~ land development regulations and a local comprehensive plan or portions thereof, with or without modification, applicable to that local government's portion of the area of critical state concern. ~~Within 45 days following receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the recommendation with or without modification, and by rule establish land development regulations and a local comprehensive plan applicable to that local government's portion of the area of critical state concern.~~ However, such rule may ~~shall~~ not become effective before ~~prior to~~ legislative review of an area of critical state concern pursuant to paragraph (1)(c). In the rule, the Department of Economic Opportunity ~~commission~~ shall specify the extent to which its land development regulations, plans, or plan amendments will supersede, or will be supplementary to, local land development regulations and plans. Notice of any proposed rule issued under this section shall be given to all local governments and regional planning agencies in the area of critical state concern, in addition to any other notice required under chapter 120. The land development regulations and local comprehensive plan adopted by the Department of Economic Opportunity ~~commission~~ under this section may include any type of regulation and plan that could have been adopted by the local government. Any land development regulations or local comprehensive plan or plan amendments adopted by the Department of Economic Opportunity ~~commission~~ under this section shall be

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administered by the local government as part of, or in the absence of, the local land development regulations and local comprehensive plan.

(9) If, within 12 months after the Department of Economic Opportunity ~~commission~~ adopts a rule designating an area of critical state concern, land development regulations or local comprehensive plans for the area have not become effective under either subsection (6) or subsection (8), the designation of the area as an area of critical state concern terminates. No part of such area may be recommended for redesignation until at least 12 months after the date the designation terminates pursuant to this subsection. The running of the 12-month period subsequent to the initial designation shall be tolled upon challenge pursuant to the provisions of chapter 120 to either the designation of the area of critical state concern or the adoption of land development regulations and local comprehensive plans under subsection (6) or subsection (8).

(10) At any time after the adoption of land development regulations and plans by the Department of Economic Opportunity ~~commission~~ under this section, a local government may propose land development regulations or a local comprehensive plan which, if approved by the state land planning agency as provided in subsection (6), will supersede any regulations or plans adopted under subsection (8).

(11) Land development regulations or a local comprehensive plan submitted by a local government in an area of critical state concern and approved pursuant to subsection (6) may be amended or rescinded by the local government, but the amendment or rescission becomes effective only upon approval thereof by

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the state land planning agency. The state land planning agency shall either approve or reject the requested changes within 60 days after ~~of~~ receipt thereof. Land development regulations or local comprehensive plans for an area of critical state concern adopted by the Department of Economic Opportunity ~~commission~~ under subsection (8) may be amended or rescinded by rule by the Department of Economic Opportunity ~~commission~~ in the same manner as for original adoption.

(12) Upon the request of a substantially interested person pursuant to s. 120.54(7), a local government or regional planning agency within the designated area, or the state land planning agency, the Department of Economic Opportunity ~~commission~~ may by rule remove, contract, or expand any designated boundary. Boundary expansions are subject to legislative review pursuant to paragraph (1)(c). A ~~No~~ boundary may not be modified without a specific finding by the Department of Economic Opportunity ~~commission~~ that such changes are consistent with necessary resource protection. The total boundaries of an entire area of critical state concern may ~~shall~~ not be removed by the Department of Economic Opportunity ~~commission~~ unless a minimum time of 1 year has elapsed from the adoption of regulations and a local comprehensive plan pursuant to subsection (1), subsection (6), subsection (8), or subsection (10). Before totally removing such boundaries, the Department of Economic Opportunity ~~commission~~ shall make findings that the regulations and plans adopted pursuant to subsection (1), subsection (6), subsection (8), or subsection (10) are being effectively implemented by local governments within the area of critical state concern to protect the area and that adopted

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local government comprehensive plans within the area have been conformed to principles for guiding development for the area.

(15) Any rule adopted pursuant to this section designating the boundaries of an area of critical state concern and the principles for guiding development therein shall be repealed by the Department of Economic Opportunity ~~commission~~ no earlier than 12 months and no later than 3 years after approval by the state land planning agency or adoption by the Department of Economic Opportunity ~~commission~~ of all land development regulations and local comprehensive plans pursuant to subsection (6), subsection (8), or subsection (10), and the implementation of all the actions listed in the designation rule for repeal of the designation. Any repeal pursuant to this subsection may be limited to any portion of the area of critical state concern. The repeal must be contingent upon approval by the state land planning agency of local land development regulations and plans pursuant to subsection (6) or subsection (10) and upon such regulations and plans being effective for a period of 12 months.

(22) All state agencies with rulemaking authority for programs that affect a designated area of critical state concern shall review those programs for consistency with the purpose of the designation and principles for guiding development, and shall adopt specific permitting standards and criteria applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.

(a)1. Within 6 months after the effective date of the rule or statute that designates an area of critical state concern, and at any time thereafter as directed by the Department of Economic Opportunity ~~Administration Commission~~, the Department

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of Environmental Protection, the Department of Health, the water management districts with jurisdiction over any portion of the area of critical state concern, and any other state agency specified in the designation rule, shall each submit a report to the Department of Economic Opportunity ~~Administration Commission, and a copy of the report to the state land planning agency~~. The report must ~~shall~~ evaluate the effect of the reporting agency's programs upon the purpose of the designation.

2. If different permitting standards or criteria, or other changes to the program, are necessary in order to further the purpose of the designation, the report must ~~shall~~ recommend rules which further that purpose and which are consistent with the principles for guiding development. The report must ~~shall~~ explain and justify the reasons for any different permitting standards or criteria that may be recommended. The Department of Economic Opportunity ~~commission~~ shall reject the agency's recommendation, or accept it with or without modification and direct the agency to adopt rules, including any changes. Any rule adopted pursuant to this paragraph shall be consistent with the principles for guiding development, and shall apply only within the boundary of the designated area. The agency shall file a copy of the adopted rule with the Department of Economic Opportunity ~~Administration Commission~~ and the state land planning agency.

3. If statutory changes are required in order to implement the permitting standards or criteria that are necessary to further the purpose of the designation, the report must ~~shall~~ recommend statutory amendments. The Department of Economic Opportunity ~~Administration Commission~~ shall submit any report

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that recommends statutory amendments to the President of the Senate and the Speaker of the House of Representatives, together with the Department of Economic Opportunity's ~~Administration Commission's~~ recommendation on the proposed amendments.

(b) The Department of Economic Opportunity ~~Administration Commission~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the provisions of~~ this subsection.

Section 69. Subsections (3) and (4) of section 380.055, Florida Statutes, are amended to read:

380.055 Big Cypress Area.—

(3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The "Big Cypress Area," as defined in this subsection, is hereby designated as an area of critical state concern. "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Freshwater Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the Board of Trustees of the Internal Improvement Trust Fund, which is the area proposed as the Federal Big Cypress National Freshwater Reserve, Florida, and that area described as follows: Sections 1, 2, 11, 12 and 13 in Township 49 South, Range 31 East; and Township 49 South, Range 32 East, less Sections 19, 30 and 31; and Township 49 South, Range 33 East; and Township 49 South, Range 34 East; and Sections 1 through 5 and 10 through 14 in Township 50 South, Range 32 East; and Sections 1 through 18 and 20 through 25 in Township 50 South, Range 33 East; and Township 50 South, Range

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34 East, less Section 31; and Sections 1 and 2 in Township 51 South, Range 34 East; All in Collier County, Florida, which described area shall be known as the "Big Cypress National Preserve Addition, Florida," together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of South Florida, or the freshwater aquifer of South Florida, the definitive boundaries of which shall be set in the following manner: Within 120 days following the effective date of this act, the state land planning agency shall determine ~~recommend~~ definitive boundaries for the Big Cypress Area ~~to the Administration Commission,~~ after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the area proposed to be included in the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within 45 days after the conclusion of such hearings ~~following receipt of the recommended boundaries~~, the Department of Economic Opportunity ~~Administration Commission~~ shall adopt, modify, or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

(4) ADOPTION OF LAND DEVELOPMENT REGULATIONS.—The provisions of s. 380.05(5)-(11), (17), and (20) do ~~shall~~ not apply to the Big Cypress Area. All other provisions of this chapter shall apply to the Big Cypress Area. Any provision of this chapter to the contrary notwithstanding, the state land planning agency has the right, and its duty shall be, to determine the ~~submit recommended~~ land development regulations applicable to the Big Cypress Area ~~to the Administration~~

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~~Commission~~ concurrent with the boundaries determined ~~recommended~~ pursuant to subsection (3). The Department of Economic Opportunity may adopt such determination ~~Administration Commission shall either reject the recommendation as tendered or adopt the same~~ by rule with or without modification. The Department of Economic Opportunity ~~commission~~ shall specify the extent to which regulations adopted pursuant to this section supersede local land development regulations.

Section 70. Subsection (4) and paragraph (b) of subsection (9) of section 380.0552, Florida Statutes, are amended to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—

(a) The designation of the Florida Keys Area as an area of critical state concern under this section may be recommended for removal upon fulfilling the legislative intent under subsection (2) and completion of all the work program tasks specified in rules of the Department of Economic Opportunity ~~Administration Commission~~.

(b) ~~Beginning November 30, 2010,~~ The state land planning agency shall annually submit a written report to the Governor ~~Administration Commission~~ describing the progress of the Florida Keys Area toward completing the work program tasks specified in its ~~commission~~ rules. The state land planning agency shall recommend removing the Florida Keys Area from being designated as an area of critical state concern to the Governor ~~commission~~ if it determines that:

1. All of the work program tasks have been completed, including construction of, operation of, and connection to

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central wastewater management facilities pursuant to s. 403.086(11) and upgrade of onsite sewage treatment and disposal systems pursuant to s. 381.0065(4)(l);

2. All local comprehensive plans and land development regulations and the administration of such plans and regulations are adequate to protect the Florida Keys Area, fulfill the legislative intent specified in subsection (2), and are consistent with and further the principles guiding development; and

3. A local government has adopted a resolution at a public hearing recommending the removal of the designation.

(c) After receipt of the state land planning agency report and recommendation, the Governor ~~Administration Commission~~ shall determine whether the requirements have been fulfilled and may remove the designation of the Florida Keys as an area of critical state concern. If the Governor ~~commission~~ removes the designation, the Department of Economic Opportunity must ~~it shall~~ initiate rulemaking to repeal any rules relating to such designation within 60 days. If, after receipt of the state land planning agency's report and recommendation, the Governor ~~commission~~ finds that the requirements for recommending removal of designation have not been met, the Department of Economic Opportunity must ~~commission shall~~ provide a written report to the local governments within 30 days after the Governor makes ~~making~~ such a finding detailing the tasks that must be completed by the local government.

(d) The Governor's ~~Administration Commission's~~ determination concerning the removal of the designation of the Florida Keys as an area of critical state concern may be

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reviewed pursuant to chapter 120. All proceedings shall be conducted by the Division of Administrative Hearings and must be initiated within 30 days after the Governor ~~commission~~ issues his or her ~~its~~ determination.

(e) After removal of the designation of the Florida Keys as an area of critical state concern, the state land planning agency shall review proposed local comprehensive plans, and any amendments to existing comprehensive plans, which are applicable to the Florida Keys Area, the boundaries of which were described in chapter 28-29, Florida Administrative Code, as of January 1, 2006, for compliance as defined in s. 163.3184. All procedures and penalties described in s. 163.3184 apply to the review conducted pursuant to this paragraph.

(f) The Department of Economic Opportunity ~~Administration Commission~~ may adopt rules or revise existing rules as necessary to administer this subsection.

(9) MODIFICATION TO PLANS AND REGULATIONS.—

(b) The state land planning agency, after consulting with the appropriate local government, may, no more than once per year, recommend to the Governor ~~Administration Commission~~ the enactment, amendment, or rescission of a land development regulation or element of a local comprehensive plan. Within 45 days following the receipt of such recommendation, the Governor ~~commission~~ shall reject the recommendation, or accept it with or without modification and the Department of Economic Opportunity shall adopt it by rule, including any changes. Such local development regulation or plan must be in compliance with the principles for guiding development.

Section 71. Subsections (4) and (9) and paragraph (f) of

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subsection (10) of section 380.0555, Florida Statutes, are amended to read:

380.0555 Apalachicola Bay Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—The state land planning agency may recommend to the Governor ~~Administration Commission~~ the removal of the designation from all or part of the area specified in subsection (3), if it determines that all local land development regulations and local comprehensive plans and the administration of such regulations and plans are adequate to protect the Apalachicola Bay Area, continue to carry out the legislative intent set forth in subsection (2), and are in compliance with the principles for guiding development set forth in subsection (7). If the Governor ~~Administration Commission~~ concurs with the recommendations of the state land planning agency to remove any area from the designation, the Department of Economic Opportunity must ~~it shall~~, within 45 days after receipt of the recommendation, initiate rulemaking to remove the designation. The state land planning agency shall make recommendations to the Governor ~~Administration Commission~~ annually.

(9) MODIFICATION TO PLANS AND REGULATIONS.—Any land development regulation or element of a local comprehensive plan in the Apalachicola Bay Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon the approval thereof by the state land planning agency. The state land planning agency shall review the proposed change to determine if it complies with the principles for guiding development specified

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in subsection (7) and must approve or reject the requested change as provided in s. 380.05. Further, the state land planning agency, after consulting with the appropriate local government, may, from time to time, determine ~~recommend~~ the enactment, amendment, or rescission of a land development regulation or element of a comprehensive plan. Within 45 days following the determination ~~receipt of such recommendation~~ by the state land planning agency or enactment, amendment, or rescission by a local government, the Department of Economic Opportunity ~~commission~~ shall reject the determination ~~recommendation~~, enactment, amendment, or rescission or accept it with or without modification and adopt, by rule, any changes. Any such local land development regulation or comprehensive plan or part of such regulation or plan may be adopted by the Department of Economic Opportunity ~~commission~~ if it finds that it is in compliance with the principles for guiding development.

(10) REQUIREMENTS; LOCAL GOVERNMENTS.—

(f) Franklin County and the municipalities within it shall, beginning 12 months from June 18, 1985, prepare semiannual reports on the implementation of paragraphs (b)-(e) on the environmental status of the Apalachicola Bay Area. The state land planning agency may prescribe additional detailed information required to be reported. Each report shall be delivered to the resource planning and management committee and the state land planning agency for review and recommendations. The state land planning agency shall review each report and consider such reports when making a determination ~~recommendations to the Administration Commission~~ pursuant to subsection (9).

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Section 72. Subsection (2) and paragraph (b) of subsection (11) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(2) STATEWIDE GUIDELINES AND STANDARDS.—The statewide guidelines and standards and the exemptions specified in s. 380.0651 and the statewide guidelines and standards adopted by the Department of Economic Opportunity ~~Administration Commission~~ and codified in chapter 73 ~~chapter 28-24~~, Florida Administrative Code, must be used in determining whether particular developments are subject to the requirements of subsection (12). The statewide guidelines and standards previously adopted by the Department of Economic Opportunity ~~Administration Commission~~ and approved by the Legislature shall remain in effect unless superseded or repealed by statute. The statewide guidelines and standards shall be applied as follows:

(a) A development that is below 100 percent of all numerical thresholds in the statewide guidelines and standards is not subject to subsection (12).

(b) A development that is at or above 100 percent of any numerical threshold in the statewide guidelines and standards is subject to subsection (12).

(11) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

(b) If requested by the owner, developer, or local government, the development-of-regional-impact development order must be abandoned by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development which existed on the date of abandonment has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as

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defined in s. 380.031(5) ~~s. 380.031(6)~~, provided such permit or authorization is subject to enforcement through administrative or judicial remedies. All development following abandonment must be fully consistent with the current comprehensive plan and applicable zoning.

Section 73. Section 380.07, Florida Statutes, is amended to read:

380.07 State Land Planning and Areas of Critical State Concern ~~Florida Land and Water Adjudicatory Commission~~.—

(1) ~~There is hereby created the Florida Land and Water Adjudicatory Commission, which shall consist of the Administration Commission.~~ The Department of Economic Opportunity ~~commission~~ may adopt rules necessary to ensure compliance with the area of critical state concern program.

(2) Whenever any local government issues any development order in any area of critical state concern, or in regard to the abandonment of any approved development of regional impact, copies of such orders as prescribed by rule by the state land planning agency shall be transmitted to the state land planning agency, the regional planning agency, and the owner or developer of the property affected by such order. The state land planning agency shall adopt rules describing development order rendition and effectiveness in designated areas of critical state concern. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the development order is not consistent with this part.

(3) Notwithstanding any other ~~provision of~~ law, an appeal

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of a development order in an area of critical state concern by the state land planning agency under this section may include consistency of the development order with the local comprehensive plan.

(4) The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the local government that issued the order. The filing of the notice of appeal stays the effectiveness of the order until after the completion of the appeal process.

(5) Before issuing a recommended ~~an~~ order, the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ shall hold a hearing pursuant to chapter 120. The Division of Administrative Hearings ~~commission~~ shall encourage the submission of appeals on the record made pursuant to subsection (7) in cases in which the development order was issued after a full and complete hearing before the local government or an agency thereof.

(6) After receipt of a recommended order from the Division of Administrative Hearings, the Department of Economic Opportunity ~~The Florida Land and Water Adjudicatory Commission~~ shall issue a final order pursuant to s. 120.57 ~~decision granting or denying permission to develop pursuant to the standards of this chapter and may attach conditions and restrictions to its decisions~~.

(7) If an appeal is filed with respect to any issues within the scope of a permitting program authorized by chapter 161, chapter 373, or chapter 403 and for which a permit or conceptual review approval has been obtained before the issuance of a development order, any such issue shall be specifically

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identified in the notice of appeal which is filed pursuant to this section, together with other issues that constitute grounds for the administrative review ~~appeal~~. The administrative proceeding ~~appeal~~ may proceed with respect to issues within the scope of permitting programs for which a permit or conceptual review approval has been obtained before the issuance of a development order only after the administrative law judge issues an order ~~commission determines by majority vote at a regularly scheduled commission meeting~~ that statewide or regional interests may be adversely affected by the development. In making this determination, there is a rebuttable presumption that statewide and regional interests relating to issues within the scope of the permitting programs for which a permit or conceptual approval has been obtained are not adversely affected.

Section 74. Subsection (2) of section 380.115, Florida Statutes, is amended to read:

380.115 Vested rights and duties; changes in statewide guidelines and standards.—A development that has received a development-of-regional-impact development order pursuant to s. 380.06 but is no longer required to undergo development-of-regional-impact review by operation of law may elect to rescind the development order pursuant to the following procedures:

(2) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or

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equivalent authorization issued by a governmental agency as defined in s. 380.031(5) ~~s. 380.031(6)~~, if such permit or authorization is subject to enforcement through administrative or judicial remedies.

Section 75. Paragraph (l) of subsection (4) of section 381.0065, Florida Statutes, is amended to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(4) PERMITS; INSTALLATION; CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. An operating permit must be obtained before the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2

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years after the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that

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uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted ~~by the Administration Commission~~ under s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

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c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewerage system, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by a central sewerage system by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewerage system, the property owner may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

6. The department shall enforce proper installation,

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operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewerage system until December 31, 2020.

Section 76. Paragraph (c) of subsection (2) of section 388.4111, Florida Statutes, is amended to read:

388.4111 Public lands; arthropod control.—

(2)

(c) If the land management agency and the local arthropod control agency are unable to agree on a public lands control plan, the Florida Coordinating Council on Mosquito Control may recommend a control plan to the department, which shall propose a recommended public lands control plan. If the land management agency and the local arthropod control agency fail to agree to such recommended public lands control plan within 30 days <u>after</u> ~~of~~ the rendering of such plan, either agency may petition the <u>Division of Administrative Hearings</u> ~~Land and Water Adjudicatory Commission~~ to determine whether the proposed control plan employs methods which are the minimum necessary and economically

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feasible to abate a public health or nuisance problem and which impose the least hazard to fish, wildlife, and other natural resources protected or managed in such areas. Unless both parties waive their right to a hearing, the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ shall direct a hearing officer to hold a hearing within the jurisdiction of the local arthropod control agency pursuant to the provisions of ss. 120.569 and 120.57 and submit a recommended order. The Department of Economic Opportunity ~~commission~~ shall, within 60 days after ~~of~~ receipt of the recommended order, issue a final order adopting a public lands control plan. Consistent with s. 120.57(1)(l), the Department of Economic Opportunity ~~commission~~ may adopt or modify the proposed control plan. The Department of Economic Opportunity ~~commission~~ shall adopt rules on the conduct of appeals before the Department of Economic Opportunity ~~commission~~.

Section 77. Effective July 1, 2022, paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in

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the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 78. Subsection (35) of section 403.061, Florida Statutes, is amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

(35) Adopt rules which may include stricter permitting and enforcement provisions within Outstanding Florida Waters, aquatic preserves, areas of critical state concern, and areas subject to chapter 380 resource management plans adopted by rule by the Department of Economic Opportunity ~~Administration Commission~~, when the plans for an area include waters that are particularly identified as needing additional protection, which provisions are not inconsistent with the applicable rules adopted for the management of such areas by the department and the Department of Economic Opportunity ~~Governor and Cabinet~~.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to

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humans, animals or plants, or to the environment.

Section 79. Subsection (11) of section 403.086, Florida Statutes, is amended to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(11) The Legislature finds that the discharge of inadequately treated and managed domestic wastewater from dozens of small wastewater facilities and thousands of septic tanks and other onsite systems in the Florida Keys compromises the quality of the coastal environment, including nearshore and offshore waters, and threatens the quality of life and local economies that depend on those resources. The Legislature also finds that the only practical and cost-effective way to fundamentally improve wastewater management in the Florida Keys is for the local governments in Monroe County, including those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage, to timely complete the wastewater or sewage treatment and disposal facilities initiated under the work program of the former Administration Commission provided in rule 28-20, Florida Administrative Code, and the Monroe County Sanitary Master Wastewater Plan, dated June 2000. The Legislature therefore declares that the construction and operation of comprehensive central wastewater systems in accordance with this subsection is in the public interest. To give effect to those findings, the requirements of this subsection apply to all domestic wastewater facilities in Monroe County, including privately owned facilities, unless otherwise provided under this subsection.

(a) The discharge of domestic wastewater into surface

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waters is prohibited.

(b) Monroe County, each municipality, and those special districts established for the purpose of collection, transmission, treatment, or disposal of sewage in Monroe County shall complete the wastewater collection, treatment, and disposal facilities within its jurisdiction designated as hot spots in the Monroe County Sanitary Master Wastewater Plan, dated June 2000, specifically listed in Exhibits 6-1 through 6-3 of Chapter 6 of the plan and mapped in Exhibit F-1 of Appendix F of the plan. The required facilities and connections, and any additional facilities or other adjustments required by rules adopted ~~by the Administration Commission~~ under s. 380.0552, must be completed by December 31, 2015, pursuant to specific schedules established by the commission. Domestic wastewater facilities located outside local government and special district service areas must meet the treatment and disposal requirements of this subsection by December 31, 2015.

(c) After December 31, 2015, all new or expanded domestic wastewater discharges must comply with the treatment and disposal requirements of this subsection and department rules.

(d) Wastewater treatment facilities having design capacities:

1. Greater than or equal to 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 5 mg/l.

b. Suspended Solids of 5 mg/l.

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c. Total Nitrogen, expressed as N, of 3 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

2. Less than 100,000 gallons per day must provide basic disinfection as defined by department rule and the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l.

d. Total Phosphorus, expressed as P, of 1 mg/l.

(e) Class V injection wells, as defined by department or Department of Health rule, must meet the following requirements and otherwise comply with department or Department of Health rules, as applicable:

1. If the design capacity of the facility is less than 1 million gallons per day, the injection well must be at least 90 feet deep and cased to a minimum depth of 60 feet or to such greater cased depth and total well depth as may be required by department rule.

2. Except as provided in subparagraph 3. for backup wells, if the design capacity of the facility is equal to or greater than 1 million gallons per day, each primary injection well must be cased to a minimum depth of 2,000 feet or to such greater depth as may be required by department rule.

3. If an injection well is used as a backup to a primary injection well, the following conditions apply:

a. The backup well may be used only when the primary injection well is out of service because of equipment failure,

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power failure, or the need for mechanical integrity testing or repair;

b. The backup well may not be used for more than a total of 500 hours during any 5-year period unless specifically authorized in writing by the department;

c. The backup well must be at least 90 feet deep and cased to a minimum depth of 60 feet, or to such greater cased depth and total well depth as may be required by department rule; and

d. Fluid injected into the backup well must meet the requirements of paragraph (d).

(f) The requirements of paragraphs (d) and (e) do not apply to:

1. Class I injection wells as defined by department rule, including any authorized mechanical integrity tests;

2. Authorized mechanical integrity tests associated with Class V wells as defined by department rule; or

3. The following types of reuse systems authorized by department rule:

a. Slow-rate land application systems;

b. Industrial uses of reclaimed water; and

c. Use of reclaimed water for toilet flushing, fire protection, vehicle washing, construction dust control, and decorative water features.

However, disposal systems serving as backups to reuse systems must comply with the other provisions of this subsection.

(g) For wastewater treatment facilities in operation as of July 1, 2010, which are located within areas to be served by Monroe County, municipalities in Monroe County, or those special

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districts established for the purpose of collection, transmission, treatment, or disposal of sewage but which are owned by other entities, the requirements of paragraphs (d) and (e) do not apply until January 1, 2016. Wastewater operating permits issued pursuant to this chapter and in effect for these facilities as of June 30, 2010, are extended until December 31, 2015, or until the facility is connected to a local government central wastewater system, whichever occurs first. Wastewater treatment facilities in operation after December 31, 2015, must comply with the treatment and disposal requirements of this subsection and department rules.

(h) If it is demonstrated that a discharge, even if the discharge is otherwise in compliance with this subsection, will cause or contribute to a violation of state water quality standards, the department shall:

1. Require more stringent effluent limitations;

2. Order the point or method of discharge changed;

3. Limit the duration or volume of the discharge; or

4. Prohibit the discharge.

(i) All sewage treatment facilities must monitor effluent for total nitrogen and total phosphorus concentration as required by department rule.

(j) The department shall require the levels of operator certification and staffing necessary to ensure proper operation and maintenance of sewage facilities.

(k) The department may adopt rules necessary to carry out this subsection.

(l) The authority of a local government, including a special district, to mandate connection of a wastewater

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facility, as defined by department rule, is governed by s. 4, chapter 99-395, Laws of Florida.

Section 80. Paragraph (a) of subsection (1) of section 403.892, Florida Statutes, is amended to read:

403.892 Incentives for the use of graywater technologies.—

(1) As used in this section, the term:

(a) "Developer" has the same meaning as in s. 380.031(1) ~~s. 380.031(2)~~.

Section 81. Subsection (4) of section 581.217, Florida Statutes, is amended to read:

581.217 State hemp program.—

(4) FEDERAL APPROVAL.—The department shall seek approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture in accordance with 7 U.S.C. s. 1639p within 30 days after adopting rules. If the state plan is not approved by the United States Secretary of Agriculture, the Commissioner of Agriculture, in consultation with and with final approval from the Governor ~~Administration Commission~~, shall develop a recommendation to amend the state plan and submit the recommendation to the Legislature.

Section 82. Subsection (3) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(3) Notwithstanding other ~~provisions of~~ law, the distribution of the premium tax and any penalties or interest collected thereunder shall be made to the General Revenue Fund in accordance with rules adopted by the Department of Revenue ~~and approved by the Administration Commission~~.

Section 83. Effective July 1, 2022, paragraph (b) of

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subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s. 20.03(7) to provide guidance to the state's regional domestic security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

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8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 84. Subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the Secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; one ~~1~~ public defender appointed by the Florida Public Defender Association, Inc.; one ~~1~~ state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and five ~~5~~ members, to be appointed by the Governor, consisting of two ~~2~~ sheriffs, two ~~2~~ police chiefs, and one ~~1~~ clerk of the circuit court.

Section 85. Subsections (4) through (7) of section 945.6035, Florida Statutes, are amended to read:

945.6035 Dispute resolution.—

(4) If, at the end of the 40-day period, no resolution has been reached, the authority is authorized to appeal to the Division of Administrative Hearings ~~Administration Commission~~

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for a review and resolution of the dispute between the department and the authority.

(5) The authority, within 30 days after receiving written notice of the action of the secretary or, if no response is received, within 30 days after the secretary's response is due pursuant to subsection (3), may file an appeal by petition to the Division of Administrative Hearings ~~Administration Commission, filed with the Secretary of the Administration Commission~~. The petition must ~~shall~~ set forth the issues in controversy between the authority and the department, in the form and manner prescribed by the Division of Administrative Hearings ~~Administration Commission~~, and must ~~shall~~ contain the reasons for the appeal. The department has 5 days after delivery of a copy of any such petition to file its reply with the Division of Administrative Hearings ~~Secretary of the Administration Commission~~, and the department shall also deliver a copy of its reply to the authority.

(6) The issues that ~~which~~ may be raised by the authority on appeal to the Division of Administrative Hearings ~~Administration Commission~~ are:

(a) Adoption or implementation by the department of a health care standard which does not conform to the standard of care generally accepted in the professional health community at large.

(b) Failure of the department to comply with an adopted health care standard.

(c) Failure to timely file a corrective action plan regarding all deficiencies which are determined by the authority to exist at an institution, as required pursuant to s. 945.6031.

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(d) Failure to implement a corrective action plan filed pursuant to s. 945.6031.

(7) Within 30 days after receipt of a petition from the authority, the Division of Administrative Hearings ~~Secretary of the Administration Commission, or his or her designee,~~ shall conduct an informal hearing to consider the matters presented in the petition and the reply, and after the informal hearing shall promptly submit a report of the findings ~~and recommendations to the Administration Commission~~. Within 30 days after the informal hearing, the Division of Administrative Hearings ~~Administration Commission~~ shall approve either the position of the authority or that of the department. If the position of the authority is approved, the Division of Administrative Hearings must ~~Administration Commission shall~~ set forth whatever remedial measures it deems appropriate and the department shall implement such remedial measures. ~~The decision of the Administration Commission is final and binding on the authority and the department and shall not be subject to appeal pursuant to s. 120.68.~~

Section 86. Section 945.6036, Florida Statutes, is amended to read:

945.6036 Enforcement.—

(1) If the department fails to substantially comply with the dispute resolution decision of the Division of Administrative Hearings ~~Administration Commission~~ or fails to implement required remedial action within 45 days after such decision or within the time period set by the Division of Administrative Hearings ~~Administration Commission~~, whichever period is longer, the authority is authorized to petition the

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Circuit Court in Leon County for an order requiring the department to comply. For the purposes of this section, "substantial compliance" means a firm effort to comply fully with the decision without omitting any essential part, and that any omission consists solely of an unimportant defect.

(2) If the authority fails to initiate a circuit court proceeding pursuant to this section, an inmate has the right to file a verified petition with the authority requesting that such a proceeding be initiated. The petition must ~~shall~~ set forth with particularity the manner in which the department has failed to implement the decision of the Division of Administrative Hearings ~~Administration Commission~~, including any required remedial actions. The authority has 45 days after receipt of a verified petition to either initiate an action in circuit court pursuant to this section or advise the inmate in writing of the reason such an action will not be initiated.

(3) Within 30 days after service of the written decision of the authority setting forth its reason why an action will not be initiated by the authority pursuant to this section, an inmate may initiate an appropriate proceeding in the Circuit Court in Leon County to require the department to substantially comply with the decision of the Division of Administrative Hearings ~~Administration Commission~~.

Section 87. Paragraph (p) of subsection (9) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(9) CHARTER SCHOOL REQUIREMENTS.—

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school;

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the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed

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representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the State Board of Education ~~Administration Commission~~ under s. 120.54(5).

Section 88. Paragraph (e) of subsection (4) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(4) BOARD OF TRUSTEES.—

(e) The board of trustees is invested with full power and authority to:

1. Appoint a president, faculty, teachers, and other employees and remove the same as in its judgment may be best and fix their compensation.

2. Procure professional services, such as medical, mental health, architectural, and engineering.

3. Procure legal services without the prior written approval of the Attorney General.

4. Determine eligibility of students and procedure for admission.

5. Provide for the students of the school necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents, except that the board of trustees may set tuition and other fees for nonresidents.

6. Provide for the proper keeping of accounts and records and for budgeting of funds.

7. Enter into contracts.

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8. Sue and be sued.

9. Secure public liability insurance.

10. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible, the board of trustees taking into consideration the purposes of the establishment.

11. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity. However, the board of trustees may not obligate the state to any expenditure or policy that is not specifically authorized by law. If the bill of sale, will, trust indenture, deed, or other legal conveyance specifies terms and conditions concerning the use of such money or property, the board of trustees shall observe such terms and conditions.

12. Deposit outside the State Treasury such moneys as are received as gifts, donations, or bequests and may disburse and expend such moneys, upon its own warrant, for the use and benefit of the Florida School for the Deaf and the Blind and its students, as the board of trustees deems to be in the best interest of the school and its students. Such money or property does not constitute and may not be considered a part of any legislative appropriation.

13. Sell or convey by bill of sale, deed, or other legal instrument any property, real or personal, received as a gift, donation, or bequest, upon such terms and conditions as the board of trustees deems to be in the best interest of the school and its students.

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14. Invest such moneys in securities enumerated under s. 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund, an Investment Management Fund exclusively for nonprofit educational institutions.

15. After receiving approval from the Department of Economic Opportunity ~~Administration Commission~~, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

Section 89. Section 1013.25, Florida Statutes, is amended to read:

1013.25 When university or Florida College System institution board of trustees may exercise power of eminent domain.—Whenever it becomes necessary for the welfare and convenience of any of its institutions or divisions to acquire private property for the use of such institutions, and this cannot be acquired by agreement satisfactory to a university or Florida College System institution board of trustees and the parties interested in, or the owners of, the private property, the board of trustees may exercise the power of eminent domain after receiving approval therefor from the Department of Economic Opportunity ~~Administration Commission~~ and may then proceed to condemn the property in the manner provided by chapter 73 or chapter 74.

Section 90. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2022.

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FL GOV 22-0226, 20-0378A-000957

5-01262-22

A bill to be entitled

An act relating to out-of-state personal income tax collection; creating ch. 221, F.S., entitled "Out-of-State Personal Income Tax Collection"; creating s. 221.03, F.S.; providing a declaration of public policy; creating s. 221.06, F.S.; defining terms; creating s. 221.07, F.S.; prohibiting the collection, investigation, or determination of out-of-state personal income taxes without a certain license; requiring persons conducting out-of-state personal income tax collection to apply for and annually renew licensure; prohibiting the Department of Financial Services from issuing licenses to specified entities; prohibiting licensed out-of-state personal income tax collectors from using certain methods or procedures; creating s. 221.08, F.S.; specifying requirements for applicants applying for and licensees renewing licensure; authorizing the department to conduct investigations of applicants for certain purposes; requiring the Department of Law Enforcement to inform the department of charges and dispositions against applicants upon request of the department; authorizing the department to contact other states for certain information; specifying requirements for the department for issuing licenses; authorizing the department to require licensees to produce specified photo identification; creating s. 221.09, F.S.; providing that the department is responsible for administration of provisions related to out-of-state

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FL GOV 22-0226 20-0378A-000958

personal income tax collection; authorizing the department to adopt rules; requiring the department to adopt a seal; requiring courts to accept records authenticated by the seal as evidence of the contents; authorizing the department to conduct examinations and investigations for certain purposes; authorizing the department to examine and compel the production of certain documents for certain purposes; prohibiting examinations from being more frequent than a specified interval; providing an exception; providing for deposit of fees into a specified trust fund; creating s. 221.11, F.S.; providing criminal penalties for collecting, investigating, or determining out-of-state personal income taxes without a license; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 221, Florida Statutes, consisting of ss. 221.03-221.11, Florida Statutes, is created and entitled "Out-of-State Personal Income Tax Collection."

Section 2. Section 221.03, Florida Statutes, is created to read:

221.03 Declaration of public policy.—It is the public policy of the state and the intent of the Legislature that residents of this state are adequately safeguarded and protected during the collection and enforcement processes of personal income taxes owed to other states. To the fullest extent possible under the law, other states shall follow the Florida

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Taxpayer Bill of Rights established in s. 213.015 when conducting out-of-state personal income tax collection within this state.

Section 3. Section 221.06, Florida Statutes, is created to read:

221.06 Definitions.—As used in this chapter, the term:

(1) "Department" means the Department of Financial Services.

(2) "Out-of-state income tax collector" means any person employed by another state's revenue agency or their designee for the purposes of collecting personal income taxes or investigating the determination of income tax liability from residents of this state.

(3) "Personal income tax" means a tax imposed by a state or local government on the income of a natural person.

(4) "Personal income tax collection" means the process of debt collection for a personal income tax owed by a natural person or investigation into the determination of income tax liability on behalf of a local or state government.

Section 4. Section 221.07, Florida Statutes, is created to read:

221.07 Licensure of out-of-state personal income tax collectors required; scope of license.—

(1) A person may not collect, investigate, or determine out-of-state personal income taxes without a license issued pursuant to this chapter.

(2) Each person conducting out-of-state personal income tax collection within this state must apply for licensure with the department and annually renew such license pursuant to s.

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221.08.

(3) The department may issue licenses under this chapter only to individuals and may not issue a license to a firm, partnership, association, or corporation.

(4) A licensed out-of-state income tax collector may not use any methods or procedures that are not specifically authorized for revenue officers of this state.

Section 5. Section 221.08, Florida Statutes, is created to read:

221.08 Licensure of out-of-state personal income tax collectors; procedure.—

(1) A person conducting out-of-state personal income tax collection within this state must apply for and annually renew licensure in accordance with this section.

(2) To apply for licensure, an applicant must:

(a) Submit a completed application form as prescribed by rule by the department.

(b) Identify the address of each physical office location used by the applicant for the business of out-of-state personal income tax collection.

(c) Provide any additional information the department may deem necessary for determining the applicant's qualifications for licensure.

(3) As a condition of renewal, a licensee must:

(a) Provide to the department the address of each physical office location used by the applicant for the business of out-of-state personal income tax collection.

(b) Provide to the department the number of individuals the licensee is investigating or from whom the licensee is seeking

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recovery of out-of-state personal income taxes.

(4) The department may conduct investigations of an applicant necessary for protecting the public and ascertaining the qualifications of the applicant. Upon the request of the department, the Department of Law Enforcement shall inform the department of any specific criminal charge filed against an applicant and the final disposition of such charge. The department may contact other states for information relevant to an applicant's qualifications for licensure.

(5) The department shall issue an out-of-state personal income tax collectors license to each person who is not otherwise ineligible and who meets the requirements of this chapter. The department may not issue or renew a license if the applicant has committed any violation of this chapter; has had an out-of-state income tax collector license suspended, revoked, or terminated; is the subject of a pending felony criminal prosecution or a prosecution in any jurisdiction of an administrative enforcement action that involves fraud, dishonesty, breach of trust, money laundering, or any other act of moral turpitude; or is unfit as to character, background, or lacking in required qualifications.

(6) The department may at any time require the licensee to produce his or her department-issued photo identification.

Section 6. Section 221.09, Florida Statutes, is created to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

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(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the office may examine the books, accounts, records, and other documents or matters of any person subject to this part. The office may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the office has reason to believe a person has violated or will violate this part or related rules.

(4) Fees collected pursuant to this chapter must be deposited into the Department of Financial Services Administrative Trust Fund.

Section 7. Section 221.11, Florida Statutes, is created to read:

221.11 Enforcement action against out-of-state personal income tax collector.—An individual collecting, investigating, or determining out-of-state personal income taxes without a license commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 8. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-000963

From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: drafts
Date: Wednesday, December 15, 2021 3:16:42 PM
Attachments: 5-01566-22 riot.docx
5-01564-22 Campaign Finance Initiatives.docx
5-01795-22 DOS Election Crimes Public Records Bill.docx

The Public Records Bill is linked to draft #01290 (DOS Election Crimes) which sent previously -- see comment by bill drafting below.

Please check with your people on this:
Gabriel Girado: (12/14/2021 11:47 AM): Linked PRX bill for draft number 5-01290-22
Hi Tonya,
This is the linked public records bill for draft number 5-01290-22. Please note that the exemption applies until the investigation ceases to be active or the information is part of a hearing or court proceeding. If you have any questions please do not hesitate to reach out to me. If you require any changes please let us know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01566-22

A bill to be entitled

An act relating to rioting; amending s. 870.01, F.S.; revising the circumstances under which a person commits a riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she commits an act of violence as part of ~~willfully participates in a violent public disturbance involving~~ an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

A person who commits a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-000965

5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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FL-GOV-22-0226_20-0378A-000966

once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring or opposing. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

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for permanent residence.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

5-01795-22

A bill to be entitled

An act relating to public records; amending s. 97.022, F.S.; creating a public records exemption for information gathered by the Office of Election Crimes and Security of the Department of State as part of an investigation; specifying circumstances under which the exemption no longer applies; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 97.022, Florida Statutes, as created by SB ____ or similar legislation, is amended to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(7)(a) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(b) All information received by the office pursuant to an investigation by the office is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active or the information has been made part of a hearing or court proceeding. This paragraph is subject to the Open Government Sunset Review Act in

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accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that is a public necessity that information received by the Office of Election Crimes and Security during an investigation be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution until the investigation ceases to be active or action taken by the office has concluded or been made part of a hearing or court proceeding. The release of such information about a pending investigation by the office could obstruct or jeopardize the integrity of the investigation or proceeding and impair the ability of the office in the performance of its official duties as required under s. 97.022, Florida Statutes. This exemption creates a secure environment in which the office may conduct its investigation. Therefore, the Legislature finds that it is a public necessity to make such information confidential and exempt from public records requirements.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

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Tonya J Shays
Legislative Assistant

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(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01566-22

A bill to be entitled

An act relating to rioting; amending s. 870.01, F.S.; revising the circumstances under which a person commits a riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she commits an act of violence as part of ~~willfully participates in a violent public disturbance involving~~ an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

A person who commits a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2022.

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FL-GOV-22-0226_20-0378A-000972

5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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FL-GOV-22-0226_20-0378A-000973

once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring or opposing. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000974

for permanent residence.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

5-01795-22

A bill to be entitled

An act relating to public records; amending s. 97.022, F.S.; creating a public records exemption for information gathered by the Office of Election Crimes and Security of the Department of State as part of an investigation; specifying circumstances under which the exemption no longer applies; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 97.022, Florida Statutes, as created by SB ____ or similar legislation, is amended to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(7)(a) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(b) All information received by the office pursuant to an investigation by the office is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active or the information has been made part of a hearing or court proceeding. This paragraph is subject to the Open Government Sunset Review Act in

AMERICAN OVERSIGHT

FL-GOV-22-0226-20-0378A-000976

accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that is a public necessity that information received by the Office of Election Crimes and Security during an investigation be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution until the investigation ceases to be active or action taken by the office has concluded or been made part of a hearing or court proceeding. The release of such information about a pending investigation by the office could obstruct or jeopardize the integrity of the investigation or proceeding and impair the ability of the office in the performance of its official duties as required under s. 97.022, Florida Statutes. This exemption creates a secure environment in which the office may conduct its investigation. Therefore, the Legislature finds that it is a public necessity to make such information confidential and exempt from public records requirements.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 3:16:42 PM
Attachments:	5-01566-22 riot.docx 5-01564-22 Campaign Finance Initiatives.docx 5-01795-22 DOS Election Crimes Public Records Bill.docx

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The Public Records Bill is linked to draft #01290 (DOS Election Crimes) which sent previously -- see comment by bill drafting below.

Please check with your people on this:
Gabriel Girado: (12/14/2021 11:47 AM): Linked PRX bill for draft number 5-01290-22
Hi Tonya,
This is the linked public records bill for draft number 5-01290-22. Please note that the exemption applies until the investigation ceases to be active or the information is part of a hearing or court proceeding. If you have any questions please do not hesitate to reach out to me. If you require any changes please let us know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01566-22

A bill to be entitled

An act relating to rioting; amending s. 870.01, F.S.; revising the circumstances under which a person commits a riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she commits an act of violence as part of ~~willfully participates in a violent public disturbance involving~~ an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

A person who commits a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000979

5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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FL-GOV-22-0226_20-0378A-000980

once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring or opposing. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-000981

for permanent residence.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

5-01795-22

A bill to be entitled

An act relating to public records; amending s. 97.022, F.S.; creating a public records exemption for information gathered by the Office of Election Crimes and Security of the Department of State as part of an investigation; specifying circumstances under which the exemption no longer applies; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 97.022, Florida Statutes, as created by SB ____ or similar legislation, is amended to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(7)(a) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(b) All information received by the office pursuant to an investigation by the office is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active or the information has been made part of a hearing or court proceeding. This paragraph is subject to the Open Government Sunset Review Act in

AMERICAN OVERSIGHT

FL-GOV-22-0226-20-0378A-000983

accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that is a public necessity that information received by the Office of Election Crimes and Security during an investigation be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution until the investigation ceases to be active or action taken by the office has concluded or been made part of a hearing or court proceeding. The release of such information about a pending investigation by the office could obstruct or jeopardize the integrity of the investigation or proceeding and impair the ability of the office in the performance of its official duties as required under s. 97.022, Florida Statutes. This exemption creates a secure environment in which the office may conduct its investigation. Therefore, the Legislature finds that it is a public necessity to make such information confidential and exempt from public records requirements.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 2:49:04 PM
Attachments:	5-01423-22 DOAH attorney fees.docx 05-01561-22 Santa Rosa Bridge Auth.docx 5-01517-22 CRT.docx 5-01533-22 SJR Const Amendments.docx 5-01538-22 Protection of Const Rights SJR.docx

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Drafter made a note on draft 01517 saying:

Just noting that while crt is both addressed in the provisions of the draft relating to educational instruction and those relating to the expansion of prohibited employment practices under the Florida Civil Rights Act, amendments to this distinct areas of law are not typically folded into a single bill.

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

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provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-000988

5-01561-22

A bill to be entitled

An act relating to the Santa Rosa Bay Bridge Authority; transferring the governance and control of the authority to the Florida Department of Transportation; transferring assets, facilities, property, rights, and powers of the authority to the department; providing for the control of the operations and maintenance of the bridge system by the department; providing for the department to assume all liability for the bonds of the authority; authorizing the department to review the authority's contracts, obligations, and liabilities and assume certain legal liability; providing construction relating to bonds of the authority; requiring the department to collect toll revenues and apply them to the payment of debt service; providing construction relating to the payment of bridge system costs; specifying the department's powers as to outstanding authority bonds; providing construction relating to the acquisition, redemption, defeasance, or other refinancing of authority bonds; providing requirements if the bridge system is transferred by the department and becomes part of the turnpike system; authorizing the department to purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues and to issue turnpike system revenue bonds for such purpose; providing construction; repealing part IV of ch. 348, F.S., relating to the Santa Rosa Bay Bridge Authority; providing an effective date.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-000989

Be It Enacted by the Legislature of the State of Florida:

Section 1. Santa Rosa Bay Bridge Authority; transfer to the Florida Department of Transportation.—The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. Pursuant to this section, all powers of the authority shall succeed to the department and the operations and maintenance of the bridge system shall be under the control of the department. The department also assumes all liability for bonds of the authority pursuant to subsection (2). The department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided in the lease-purchase agreement and the resolutions adopted in connection with the issuance of Santa Rosa Bay Bridge Authority bonds for the protection of the bondholders. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other

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facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department and does not pledge department revenues for payment of the bonds. Revenues generated by the bridge system and other facilities of the authority which were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than from revenues of the bridge system.

(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may use any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance, or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement are terminated. Upon the acquisition, redemption, defeasance, or

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other refinancing of all of the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system are deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, ss. 338.22-338.241, Florida Statutes, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by s. 7 of chapter 2017-42, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Garcon Point Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223, Florida Statutes. In addition to subsection (3), the department may purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to s. 11(f), Article VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance, or

AMERICAN OVERSIGHT

refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section are in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275, Florida Statutes. This section may not be construed as repealing any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law; but shall supersede such other law or laws as are inconsistent with this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and 348.9781, Florida Statutes, is repealed.

Section 3. This act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

5-01517-22

A bill to be entitled

An act relating to prohibited concepts in workplace training and education; amending s. 760.10, F.S.; providing that it is an unlawful employment practice for an employer or a labor organization to subject any individual to workplace training that includes specified concepts; providing that subjecting any individual to training that includes specified concepts constitutes discrimination; amending s. 1003.42, F.S.; prohibiting public school employees from engaging in specified conduct; prohibiting specified concepts from being taught in public schools in this state; requiring members of district school boards and public school leadership to adhere to frameworks established by the Department of Education for in-service educator professional development; requiring district school boards and charter school governing boards to adopt specified policies and procedures; defining terms; creating a cause of action for plaintiffs to enforce certain provisions of law by injunctive or declaratory relief; specifying a plaintiff's burden of proof; authorizing a court to award equitable relief, reasonable costs and court fees, including reasonable attorney fees up to a specified amount, and statutory damages in a specified amount per defendant; providing that certain final judgments are enforceable by the State Board of Education if the defendant fails to comply with the final judgment; authorizing the State Board of

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FL-GOV-22-0226_20-0378A-000994

Education to fine specified entities up to a specified amount for certain persistent violations; prohibiting fines from being paid with funds allocated for the purposes of providing educational services; providing for retroactive applicability; amending ss. 1002.20 and 1006.40, F.S.; conforming cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4) and (5) of section 760.10, Florida Statutes, are amended, and paragraph (c) is added to subsection (1) and paragraph (d) is added to subsection (3) of that section, to read:

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

(c) To subject any individual to workplace training that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex,

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bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(3) It is an unlawful employment practice for a labor organization:

(d) To subject any individual to training, as a condition of membership, that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or

AMERICAN OVERSIGHT

receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. Subjecting any individual to training that includes any of the following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her

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race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Subjecting any individual to training that includes any of the

AMERICAN OVERSIGHT

following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

Section 2. Section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction; prohibited concepts; private

AMERICAN OVERSIGHT

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cause of action.—

(1)(a) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

(b) All instructional materials, as defined in s. 1006.29(2), used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in subsection (9) ~~(3)~~, must be annually approved by a district school board in an open, noticed public meeting.

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty,

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and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an

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investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall

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include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating

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violence and abuse.

3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on

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developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

(3) Public school employees may not:

(a) Provide classroom instruction that is inappropriate for the age and maturity level of students, as determined by

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standards adopted by the State Board of Education;

(b) Compel students by any means to engage in political or social activism or advocacy; or

(c) Indoctrinate or persuade or attempt to indoctrinate or persuade students to any particular point of view that is inconsistent with standards adopted by the State Board of Education.

(4) The following concepts may not be taught in public schools in this state:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

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(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(i) That racism or sexism is the only explanation for observed disparities among racial groups or the sexes.

(j) That this state or the United States are fundamentally or irredeemably racist or sexist.

(5) Members of district school boards and public school leadership, subject to State Board of Education rule, shall adhere to frameworks for in-service educator professional development established by the department to guide the efficient and faithful teaching of the required topics in this section and standards adopted by the State Board of Education.

(6) District school boards and charter school governing boards shall adopt policies and procedures to ensure that in-service educator professional development adheres to the requirements of this section, the standards adopted by the State Board of Education, and department frameworks for in-service educator professional development.

(7)(a) As used in this subsection, the term:

1. "Defendant" means a school district, charter school governing board, or charter school network board.

2. "Plaintiff" means a parent or guardian of a child or a student who has attained the age of majority and who attends a school or program operated by a defendant.

(b) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce subsections (3) and (4) by injunctive or declaratory relief.

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(c) To be entitled to relief, a plaintiff has the burden of proving by a preponderance of the evidence that a defendant violated subsection (3) or subsection (4) and failed to cure the violation after notification by the plaintiff or the department.

(d) In addition to injunctive or declaratory relief, a court may award to a prevailing plaintiff the following:

1. Equitable relief;

2. Reasonable costs and court fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. Statutory damages in the amount of $10,000 per defendant.

(e) A final judgment rendered by a court of competent jurisdiction against a party that the State Board of Education oversees pursuant to s. 1008.32 is enforceable by the State Board of Education pursuant to that section if the defendant fails to comply with the final judgment.

(8) The State Board of Education may, in conjunction and accordance with its enforcement powers under s. 1008.32, fine a school board member, a charter school governing board member, a charter school network board member, a district school superintendent, or a school principal up to $1,000 per day for persistent violations of this section. Fines may not be paid with funds allocated for the purposes of providing educational services. The State Board of Education may issue fines retroactively back to the first date the defendant was notified of a violation by a plaintiff or the department.

(9) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its

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symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

Section 3. Paragraph (d) of subsection (3) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(d) *Reproductive health and disease education.*—A public school student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, in accordance with s. 1003.42(9) ~~s. 1003.42(3)~~. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The homepage must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

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Section 4. Paragraph (b) of subsection (4) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(4) Each district school board is responsible for the content of all materials used in a classroom or otherwise made available to students. Each district school board shall adopt rules, and each district school superintendent shall implement procedures, that:

(b) Provide a process for public review of, public comment on, and the adoption of instructional materials, including instructional materials used to teach reproductive health or any disease, including HIV/AIDS, under ss. 1003.42(9) and 1003.46 ~~ss. 1003.42(3) and 1003.46~~, which satisfies the requirements of s. 1006.283(2)(b)8., 9., and 11.

Section 5. This act shall take effect July 1, 2022.

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5-01533-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to require that an amendment or a revision to the State Constitution proposed by initiative be approved by a specified percentage of electors in each county.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. Notwithstanding section 5(e)

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of this article, a revision or an amendment proposed by initiative must be approved by a vote of at least sixty percent of the electors voting on the measure in each county. Any such revision or amendment that fails to reach the sixty-percent vote threshold in each county may not take effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

APPROVAL BY EACH COUNTY ELECTORATE FOR CONSTITUTIONAL AMENDMENTS OR REVISIONS PROPOSED BY CITIZEN INITIATIVE.—Proposing an amendment to the State Constitution to require approval by at least 60 percent of the number of electors voting on any amendment or revision proposed to the State Constitution by citizen initiative in each county of the state in order to take effect, instead of at least 60 percent of the number of electors voting statewide on the measure.

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5-01538-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the repeal of any fundamental right enumerated in Article I of the State Constitution by a revision or an amendment proposed by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment may not propose the repeal of any fundamental right enumerated in Article I of this constitution, and except for any revision or amendment ~~those~~ limiting the power of government to raise revenue, it must ~~shall~~ embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts

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respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING PROPOSED CITIZEN INITIATIVES FROM REPEALING ARTICLE I CONSTITUTIONAL RIGHTS.—Proposing an amendment to the State Constitution to prohibit a revision or an amendment to the State Constitution proposed by citizen initiative from repealing any fundamental right enumerated in Article I of the State Constitution.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Cc: Dowd, Cory
Subject: drafts
Date: Wednesday, December 15, 2021 2:49:03 PM
Attachments: 5-01423-22 DOAH attorney fees.docx
05-01561-22 Santa Rosa Bridge Auth.docx
5-01517-22 CRT.docx
5-01533-22 SJR Const Amendments.docx
5-01538-22 Protection of Const Rights SJR.docx

Drafter made a note on draft 01517 saying:
Just noting that while crt is both addressed in the provisions of the draft relating to educational instruction and those relating to the expansion of prohibited employment practices under the Florida Civil Rights Act, amendments to this distinct areas of law are not typically folded into a single bill.

Tonya J Shays
Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

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provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

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5-01561-22

A bill to be entitled

An act relating to the Santa Rosa Bay Bridge Authority; transferring the governance and control of the authority to the Florida Department of Transportation; transferring assets, facilities, property, rights, and powers of the authority to the department; providing for the control of the operations and maintenance of the bridge system by the department; providing for the department to assume all liability for the bonds of the authority; authorizing the department to review the authority's contracts, obligations, and liabilities and assume certain legal liability; providing construction relating to bonds of the authority; requiring the department to collect toll revenues and apply them to the payment of debt service; providing construction relating to the payment of bridge system costs; specifying the department's powers as to outstanding authority bonds; providing construction relating to the acquisition, redemption, defeasance, or other refinancing of authority bonds; providing requirements if the bridge system is transferred by the department and becomes part of the turnpike system; authorizing the department to purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues and to issue turnpike system revenue bonds for such purpose; providing construction; repealing part IV of ch. 348, F.S., relating to the Santa Rosa Bay Bridge Authority; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Santa Rosa Bay Bridge Authority; transfer to the Florida Department of Transportation.—The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. Pursuant to this section, all powers of the authority shall succeed to the department and the operations and maintenance of the bridge system shall be under the control of the department. The department also assumes all liability for bonds of the authority pursuant to subsection (2). The department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided in the lease-purchase agreement and the resolutions adopted in connection with the issuance of Santa Rosa Bay Bridge Authority bonds for the protection of the bondholders. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other

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facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department and does not pledge department revenues for payment of the bonds. Revenues generated by the bridge system and other facilities of the authority which were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than from revenues of the bridge system.

(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may use any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance, or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement are terminated. Upon the acquisition, redemption, defeasance, or

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other refinancing of all of the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system are deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, ss. 338.22-338.241, Florida Statutes, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by s. 7 of chapter 2017-42, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Garcon Point Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223, Florida Statutes. In addition to subsection (3), the department may purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to s. 11(f), Article VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance, or

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refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section are in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275, Florida Statutes. This section may not be construed as repealing any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law; but shall supersede such other law or laws as are inconsistent with this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and 348.9781, Florida Statutes, is repealed.

Section 3. This act shall take effect upon becoming a law.

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5-01517-22

A bill to be entitled

An act relating to prohibited concepts in workplace training and education; amending s. 760.10, F.S.; providing that it is an unlawful employment practice for an employer or a labor organization to subject any individual to workplace training that includes specified concepts; providing that subjecting any individual to training that includes specified concepts constitutes discrimination; amending s. 1003.42, F.S.; prohibiting public school employees from engaging in specified conduct; prohibiting specified concepts from being taught in public schools in this state; requiring members of district school boards and public school leadership to adhere to frameworks established by the Department of Education for in-service educator professional development; requiring district school boards and charter school governing boards to adopt specified policies and procedures; defining terms; creating a cause of action for plaintiffs to enforce certain provisions of law by injunctive or declaratory relief; specifying a plaintiff's burden of proof; authorizing a court to award equitable relief, reasonable costs and court fees, including reasonable attorney fees up to a specified amount, and statutory damages in a specified amount per defendant; providing that certain final judgments are enforceable by the State Board of Education if the defendant fails to comply with the final judgment; authorizing the State Board of

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Education to fine specified entities up to a specified amount for certain persistent violations; prohibiting fines from being paid with funds allocated for the purposes of providing educational services; providing for retroactive applicability; amending ss. 1002.20 and 1006.40, F.S.; conforming cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4) and (5) of section 760.10, Florida Statutes, are amended, and paragraph (c) is added to subsection (1) and paragraph (d) is added to subsection (3) of that section, to read:

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

(c) To subject any individual to workplace training that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex,

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bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(3) It is an unlawful employment practice for a labor organization:

(d) To subject any individual to training, as a condition of membership, that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or

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receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. Subjecting any individual to training that includes any of the following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her

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race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Subjecting any individual to training that includes any of the

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following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

Section 2. Section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction; prohibited concepts; private

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cause of action.—

(1)(a) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

(b) All instructional materials, as defined in s. 1006.29(2), used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in subsection (9) ~~(3)~~, must be annually approved by a district school board in an open, noticed public meeting.

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty,

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and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an

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investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall

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include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating

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violence and abuse.

3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on

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developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

(3) Public school employees may not:

(a) Provide classroom instruction that is inappropriate for the age and maturity level of students, as determined by

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standards adopted by the State Board of Education;

(b) Compel students by any means to engage in political or social activism or advocacy; or

(c) Indoctrinate or persuade or attempt to indoctrinate or persuade students to any particular point of view that is inconsistent with standards adopted by the State Board of Education.

(4) The following concepts may not be taught in public schools in this state:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

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(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(i) That racism or sexism is the only explanation for observed disparities among racial groups or the sexes.

(j) That this state or the United States are fundamentally or irredeemably racist or sexist.

(5) Members of district school boards and public school leadership, subject to State Board of Education rule, shall adhere to frameworks for in-service educator professional development established by the department to guide the efficient and faithful teaching of the required topics in this section and standards adopted by the State Board of Education.

(6) District school boards and charter school governing boards shall adopt policies and procedures to ensure that in-service educator professional development adheres to the requirements of this section, the standards adopted by the State Board of Education, and department frameworks for in-service educator professional development.

(7)(a) As used in this subsection, the term:

1. "Defendant" means a school district, charter school governing board, or charter school network board.

2. "Plaintiff" means a parent or guardian of a child or a student who has attained the age of majority and who attends a school or program operated by a defendant.

(b) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce subsections (3) and (4) by injunctive or declaratory relief.

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(c) To be entitled to relief, a plaintiff has the burden of proving by a preponderance of the evidence that a defendant violated subsection (3) or subsection (4) and failed to cure the violation after notification by the plaintiff or the department.

(d) In addition to injunctive or declaratory relief, a court may award to a prevailing plaintiff the following:

1. Equitable relief;

2. Reasonable costs and court fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. Statutory damages in the amount of $10,000 per defendant.

(e) A final judgment rendered by a court of competent jurisdiction against a party that the State Board of Education oversees pursuant to s. 1008.32 is enforceable by the State Board of Education pursuant to that section if the defendant fails to comply with the final judgment.

(8) The State Board of Education may, in conjunction and accordance with its enforcement powers under s. 1008.32, fine a school board member, a charter school governing board member, a charter school network board member, a district school superintendent, or a school principal up to $1,000 per day for persistent violations of this section. Fines may not be paid with funds allocated for the purposes of providing educational services. The State Board of Education may issue fines retroactively back to the first date the defendant was notified of a violation by a plaintiff or the department.

(9) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its

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symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

Section 3. Paragraph (d) of subsection (3) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(d) *Reproductive health and disease education.*—A public school student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, in accordance with s. 1003.42(9) ~~s. 1003.42(3)~~. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The homepage must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

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Section 4. Paragraph (b) of subsection (4) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(4) Each district school board is responsible for the content of all materials used in a classroom or otherwise made available to students. Each district school board shall adopt rules, and each district school superintendent shall implement procedures, that:

(b) Provide a process for public review of, public comment on, and the adoption of instructional materials, including instructional materials used to teach reproductive health or any disease, including HIV/AIDS, under ss. 1003.42(9) and 1003.46 ~~ss. 1003.42(3) and 1003.46~~, which satisfies the requirements of s. 1006.283(2)(b)8., 9., and 11.

Section 5. This act shall take effect July 1, 2022.

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5-01533-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to require that an amendment or a revision to the State Constitution proposed by initiative be approved by a specified percentage of electors in each county.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. Notwithstanding section 5(e)

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of this article, a revision or an amendment proposed by initiative must be approved by a vote of at least sixty percent of the electors voting on the measure in each county. Any such revision or amendment that fails to reach the sixty-percent vote threshold in each county may not take effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

APPROVAL BY EACH COUNTY ELECTORATE FOR CONSTITUTIONAL AMENDMENTS OR REVISIONS PROPOSED BY CITIZEN INITIATIVE.—Proposing an amendment to the State Constitution to require approval by at least 60 percent of the number of electors voting on any amendment or revision proposed to the State Constitution by citizen initiative in each county of the state in order to take effect, instead of at least 60 percent of the number of electors voting statewide on the measure.

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5-01538-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the repeal of any fundamental right enumerated in Article I of the State Constitution by a revision or an amendment proposed by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment may not propose the repeal of any fundamental right enumerated in Article I of this constitution, and except for any revision or amendment ~~those~~ limiting the power of government to raise revenue, it must ~~shall~~ embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts

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respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING PROPOSED CITIZEN INITIATIVES FROM REPEALING ARTICLE I CONSTITUTIONAL RIGHTS.—Proposing an amendment to the State Constitution to prohibit a revision or an amendment to the State Constitution proposed by citizen initiative from repealing any fundamental right enumerated in Article I of the State Constitution.

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From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 2:49:03 PM
Attachments:	5-01423-22 DOAH attorney fees.docx 05-01561-22 Santa Rosa Bridge Auth.docx 5-01517-22 CRT.docx 5-01533-22 SJR Const Amendments.docx 5-01538-22 Protection of Const Rights SJR.docx

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Drafter made a note on draft 01517 saying:

Just noting that while crt is both addressed in the provisions of the draft relating to educational instruction and those relating to the expansion of prohibited employment practices under the Florida Civil Rights Act, amendments to this distinct areas of law are not typically folded into a single bill.

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

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provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated and multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

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5-01561-22

A bill to be entitled

An act relating to the Santa Rosa Bay Bridge Authority; transferring the governance and control of the authority to the Florida Department of Transportation; transferring assets, facilities, property, rights, and powers of the authority to the department; providing for the control of the operations and maintenance of the bridge system by the department; providing for the department to assume all liability for the bonds of the authority; authorizing the department to review the authority's contracts, obligations, and liabilities and assume certain legal liability; providing construction relating to bonds of the authority; requiring the department to collect toll revenues and apply them to the payment of debt service; providing construction relating to the payment of bridge system costs; specifying the department's powers as to outstanding authority bonds; providing construction relating to the acquisition, redemption, defeasance, or other refinancing of authority bonds; providing requirements if the bridge system is transferred by the department and becomes part of the turnpike system; authorizing the department to purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues and to issue turnpike system revenue bonds for such purpose; providing construction; repealing part IV of ch. 348, F.S., relating to the Santa Rosa Bay Bridge Authority; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Santa Rosa Bay Bridge Authority; transfer to the Florida Department of Transportation.—The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. Pursuant to this section, all powers of the authority shall succeed to the department and the operations and maintenance of the bridge system shall be under the control of the department. The department also assumes all liability for bonds of the authority pursuant to subsection (2). The department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided in the lease-purchase agreement and the resolutions adopted in connection with the issuance of Santa Rosa Bay Bridge Authority bonds for the protection of the bondholders. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other

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facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department and does not pledge department revenues for payment of the bonds. Revenues generated by the bridge system and other facilities of the authority which were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than from revenues of the bridge system.

(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may use any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance, or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement are terminated. Upon the acquisition, redemption, defeasance, or

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other refinancing of all of the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system are deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, ss. 338.22-338.241, Florida Statutes, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by s. 7 of chapter 2017-42, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Garcon Point Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223, Florida Statutes. In addition to subsection (3), the department may purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to s. 11(f), Article VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance, or

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refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section are in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275, Florida Statutes. This section may not be construed as repealing any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law; but shall supersede such other law or laws as are inconsistent with this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761, 348.9771, and 348.9781, Florida Statutes, is repealed.

Section 3. This act shall take effect upon becoming a law.

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5-01517-22

A bill to be entitled

An act relating to prohibited concepts in workplace training and education; amending s. 760.10, F.S.; providing that it is an unlawful employment practice for an employer or a labor organization to subject any individual to workplace training that includes specified concepts; providing that subjecting any individual to training that includes specified concepts constitutes discrimination; amending s. 1003.42, F.S.; prohibiting public school employees from engaging in specified conduct; prohibiting specified concepts from being taught in public schools in this state; requiring members of district school boards and public school leadership to adhere to frameworks established by the Department of Education for in-service educator professional development; requiring district school boards and charter school governing boards to adopt specified policies and procedures; defining terms; creating a cause of action for plaintiffs to enforce certain provisions of law by injunctive or declaratory relief; specifying a plaintiff's burden of proof; authorizing a court to award equitable relief, reasonable costs and court fees, including reasonable attorney fees up to a specified amount, and statutory damages in a specified amount per defendant; providing that certain final judgments are enforceable by the State Board of Education if the defendant fails to comply with the final judgment; authorizing the State Board of

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Education to fine specified entities up to a specified amount for certain persistent violations; prohibiting fines from being paid with funds allocated for the purposes of providing educational services; providing for retroactive applicability; amending ss. 1002.20 and 1006.40, F.S.; conforming cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4) and (5) of section 760.10, Florida Statutes, are amended, and paragraph (c) is added to subsection (1) and paragraph (d) is added to subsection (3) of that section, to read:

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

(c) To subject any individual to workplace training that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex,

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bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(3) It is an unlawful employment practice for a labor organization:

(d) To subject any individual to training, as a condition of membership, that includes any of the following concepts:

1. That one race or sex is inherently superior to another race or sex.

2. That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

3. That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

4. That a person cannot or should not attempt to treat others without regard for their race or sex.

5. That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or

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receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

6. That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

7. That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

8. That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. Subjecting any individual to training that includes any of the following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her

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race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Subjecting any individual to training that includes any of the

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following concepts constitutes discrimination under this subsection:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

Section 2. Section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction; prohibited concepts; private

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cause of action.—

(1)(a) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts. The state board must remove a middle grades course in the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41 and may approve a new course only if it meets the required curricular content.

(b) All instructional materials, as defined in s. 1006.29(2), used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in subsection (9) ~~(3)~~, must be annually approved by a district school board in an open, noticed public meeting.

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty,

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and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an

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investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall

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include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating

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violence and abuse.

3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on

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developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

(3) Public school employees may not:

(a) Provide classroom instruction that is inappropriate for the age and maturity level of students, as determined by

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standards adopted by the State Board of Education;

(b) Compel students by any means to engage in political or social activism or advocacy; or

(c) Indoctrinate or persuade or attempt to indoctrinate or persuade students to any particular point of view that is inconsistent with standards adopted by the State Board of Education.

(4) The following concepts may not be taught in public schools in this state:

(a) That one race or sex is inherently superior to another race or sex.

(b) That a person, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(c) That a person's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex.

(d) That a person cannot or should not attempt to treat others without regard for their race or sex.

(e) That a person, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex.

(f) That a person should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(g) That a person should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.

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(h) That meritocracy, excellence, hard work, or traits such as a strong work ethic, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race to oppress members of another race.

(i) That racism or sexism is the only explanation for observed disparities among racial groups or the sexes.

(j) That this state or the United States are fundamentally or irredeemably racist or sexist.

(5) Members of district school boards and public school leadership, subject to State Board of Education rule, shall adhere to frameworks for in-service educator professional development established by the department to guide the efficient and faithful teaching of the required topics in this section and standards adopted by the State Board of Education.

(6) District school boards and charter school governing boards shall adopt policies and procedures to ensure that in-service educator professional development adheres to the requirements of this section, the standards adopted by the State Board of Education, and department frameworks for in-service educator professional development.

(7)(a) As used in this subsection, the term:

1. "Defendant" means a school district, charter school governing board, or charter school network board.

2. "Plaintiff" means a parent or guardian of a child or a student who has attained the age of majority and who attends a school or program operated by a defendant.

(b) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce subsections (3) and (4) by injunctive or declaratory relief.

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(c) To be entitled to relief, a plaintiff has the burden of proving by a preponderance of the evidence that a defendant violated subsection (3) or subsection (4) and failed to cure the violation after notification by the plaintiff or the department.

(d) In addition to injunctive or declaratory relief, a court may award to a prevailing plaintiff the following:

1. Equitable relief;

2. Reasonable costs and court fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. Statutory damages in the amount of $10,000 per defendant.

(e) A final judgment rendered by a court of competent jurisdiction against a party that the State Board of Education oversees pursuant to s. 1008.32 is enforceable by the State Board of Education pursuant to that section if the defendant fails to comply with the final judgment.

(8) The State Board of Education may, in conjunction and accordance with its enforcement powers under s. 1008.32, fine a school board member, a charter school governing board member, a charter school network board member, a district school superintendent, or a school principal up to $1,000 per day for persistent violations of this section. Fines may not be paid with funds allocated for the purposes of providing educational services. The State Board of Education may issue fines retroactively back to the first date the defendant was notified of a violation by a plaintiff or the department.

(9) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its

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symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

Section 3. Paragraph (d) of subsection (3) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(d) *Reproductive health and disease education.*—A public school student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, in accordance with s. 1003.42(9) ~~s. 1003.42(3)~~. Each school district shall, on the district's website homepage, notify parents of this right and the process to request an exemption. The homepage must include a link for a student's parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

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Section 4. Paragraph (b) of subsection (4) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(4) Each district school board is responsible for the content of all materials used in a classroom or otherwise made available to students. Each district school board shall adopt rules, and each district school superintendent shall implement procedures, that:

(b) Provide a process for public review of, public comment on, and the adoption of instructional materials, including instructional materials used to teach reproductive health or any disease, including HIV/AIDS, under ss. 1003.42(9) and 1003.46 ~~ss. 1003.42(3) and 1003.46~~, which satisfies the requirements of s. 1006.283(2)(b)8., 9., and 11.

Section 5. This act shall take effect July 1, 2022.

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5-01533-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to require that an amendment or a revision to the State Constitution proposed by initiative be approved by a specified percentage of electors in each county.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. Notwithstanding section 5(e)

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of this article, a revision or an amendment proposed by initiative must be approved by a vote of at least sixty percent of the electors voting on the measure in each county. Any such revision or amendment that fails to reach the sixty-percent vote threshold in each county may not take effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

APPROVAL BY EACH COUNTY ELECTORATE FOR CONSTITUTIONAL AMENDMENTS OR REVISIONS PROPOSED BY CITIZEN INITIATIVE.—Proposing an amendment to the State Constitution to require approval by at least 60 percent of the number of electors voting on any amendment or revision proposed to the State Constitution by citizen initiative in each county of the state in order to take effect, instead of at least 60 percent of the number of electors voting statewide on the measure.

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5-01538-22

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the repeal of any fundamental right enumerated in Article I of the State Constitution by a revision or an amendment proposed by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment may not propose the repeal of any fundamental right enumerated in Article I of this constitution, and except for any revision or amendment ~~those~~ limiting the power of government to raise revenue, it must ~~shall~~ embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts

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respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING PROPOSED CITIZEN INITIATIVES FROM REPEALING ARTICLE I CONSTITUTIONAL RIGHTS.—Proposing an amendment to the State Constitution to prohibit a revision or an amendment to the State Constitution proposed by citizen initiative from repealing any fundamental right enumerated in Article I of the State Constitution.

AMERICAN OVERSIGHT

From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 1:12:30 PM
Attachments:	5-01234-22 Law Enforcement Recruitment.docx 5-01289-22 Defamation.docx 5-01290-22 DOS Election Security.docx 5-10385-22 Propety tax abatement.docx Property Tax Abatement - SS comments.docx

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Afternoon! Going to send a couple of emails with drafts that are completed and ready for your review.

JUST A NOTE THAT ALL DRAFTS HAVE TO BE IN THEIR FINAL VERSION BY JAN 7TH – READY TO APPROVE. If you all have any changes to drafts we sent you then we need those changes back to us by Jan 3rd to get them redrafted and back by the 7th. Thanks!

RE: Draft 10384 / Property Tax Abatement/Surfside – see attachment called "Property Tax Abatement SS Comments" for comments from attorney who drafted it.
Sarah Shuler: (12/8/2021 8:31 AM):
Hi Tonya,
I've attached a document highlighting and explaining some of the revisions that I made to the requested language. Please let me know if you have any questions

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01234-22

A bill to be entitled

An act relating to law enforcement recruitment; creating s. 445.08, F.S.; creating the Florida Law Enforcement Recruitment Bonus Payment Program within the Department of Economic Opportunity; providing the purpose of the program; defining the term "newly employed or appointed full-time law enforcement officer"; specifying that bonus payments awarded by the program are contingent on legislative appropriation and must be adjusted to include the employee share of a specified tax; requiring the funding allocation for the bonus payments to be used in a specified manner; clarifying that applicable collective bargaining units are not precluded from negotiating over wages; requiring bonus payments to be repaid under certain circumstances; providing an exception; requiring the Department of Economic Opportunity to develop an annual plan for the distribution of bonus payments; requiring certain agencies and entities to assist the Department of Economic Opportunity in collecting data necessary to develop and implement the bonus payment plan and otherwise provide information and assistance; providing the requirements of the bonus payment plan; providing eligibility requirements for receiving a bonus payment; requiring the Department of Economic Opportunity to submit the plan to the Office of Policy and Budget in the Executive Office of the Governor and to the Legislature annually by a specified date;

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authorizing the Department of Economic Opportunity to submit budget amendments as necessary to release appropriated funds; prohibiting specified persons from receiving a bonus payment; requiring the Department of Economic Opportunity to adopt rules; creating s. 1009.896, F.S.; establishing the Law Enforcement Academy Scholarship Program within the Department of Education; providing the purpose of the program; requiring the Department of Education to consult with the Department of Law Enforcement in administering the program; requiring the program to provide scholarships to trainees in a Criminal Justice Standards and Training Commission-approved basic recruit training program at a Florida College System institution or school district technical center; providing for the use of program funds; providing for award amounts; requiring the Department of Education to award scholarships on a first-come, first-served basis, subject to appropriation by the Legislature; prohibiting certain law enforcement academy trainees from receiving a scholarship; specifying eligible uses of awards; prohibiting awards from being used to pay out-of-state fees; requiring the State Board of Education to adopt rules by a specified date; creating s. 1009.8961, F.S.; establishing the Out-of-State Law Enforcement Equivalency Reimbursement Program within the Department of Education; providing the purpose of the program; requiring the Department of Education to consult with the Department of Law Enforcement in

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administering the program; authorizing persons who meet certain criteria to receive a reimbursement from the program for up to a specified amount for eligible expenses; providing that a person who meets certain criteria may also receive a reimbursement; specifying eligible expenses; prohibiting certain law enforcement academy trainees from receiving a reimbursement; requiring the Department of Education to award reimbursements on a first-come, first-served basis, subject to appropriation by the Legislature; requiring the State Board of Education to adopt rules by a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 445.08, Florida Statutes, is created to read:

445.08 Florida Law Enforcement Recruitment Bonus Payment Program.—

(1) There is created within the department the Florida Law Enforcement Recruitment Bonus Payment Program. The purpose of the program is to award one-time bonus payments to each newly employed or appointed full-time law enforcement officer within this state. For purposes of this section, the term "newly employed or appointed full-time law enforcement officer" means an individual new to the law enforcement profession in this state employed as a sworn law enforcement officer by a criminal justice employing agency in this state.

(2) Bonus payments awarded to newly employed or appointed

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full-time law enforcement officers are contingent on legislative appropriation and must be adjusted to include 7.65 percent for the employee share of the Federal Insurance Contribution Act tax.

(3) The funding allocation for the bonus payments must be used solely to comply with the requirements of this section, but applicable collective bargaining units are not otherwise precluded from negotiating over wages.

(4) A bonus payment must be repaid to the state if the officer who received the bonus payment does not remain employed as an officer for at least 2 years without a break in service with one or more employers within this state. The officer does not have to repay the bonus payment if the officer receiving the bonus payment is discharged by his or her employer for a reason other than misconduct as defined in s. 443.036.

(5) The department shall develop an annual plan for the distribution of the bonus payments. Applicable state agencies and local entities shall assist the department with the collection of data necessary to develop and implement the plan and shall otherwise provide the department with information or assistance needed to fulfill the requirements of this section. At a minimum, the plan must address the following:

(a) The estimated number of new law enforcement officers to gain employment during the applicable fiscal year.

(b) The method or methods that will be utilized to distribute bonus payment funds to the applicable state and local entities, with the goal of making bonus payments to eligible individuals in the quickest and most efficient manner possible.

(c) The estimated cost to the department for administering

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and distributing the bonus payment funds.

(d) Eligibility criteria for receiving a bonus payment, which must include:

1. Meeting the minimum qualifications pursuant to s. 943.13.

2. Completing the required training or being exempt pursuant to s. 943.13(9) and passing the State Officer Certification Examination. The department shall consult quarterly with the Department of Law Enforcement to receive verification of law enforcement officers certified upon completion of the State Officer Certification Examination.

3. Gaining employment with a Florida criminal justice agency, including completing a full background check and submitting an Officer Certification Application Form CJSTC-59.

4. Having the employment file reviewed and deemed compliant by the Criminal Justice Standards and Training Commission.

5. Meeting any other criteria deemed necessary by the department for determining bonus payment eligibility and distributing bonus payment funds.

(e) The department shall submit the plan to the Office of Policy and Budget in the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee by October 1 of each year. The department is authorized to submit budget amendments pursuant to chapter 216 as necessary to release appropriated funds for distribution to applicable state and local entities under the program.

(6) Current and former law enforcement officers, correctional officers, or other security officers with service

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in this state, and employees in these categories classified as other-personal-services or temporary employees, may not receive a bonus payment under the program.

(7) The department shall adopt rules to implement this section.

Section 2. Section 1009.896, Florida Statutes, is created to read:

1009.896 Law Enforcement Academy Scholarship Program.—

(1) The Law Enforcement Academy Scholarship Program is established within the Department of Education to aid law enforcement recruitment in this state. The Department of Education shall consult with the Department of Law Enforcement in administering the program.

(2) The program shall provide scholarships to trainees in a Criminal Justice Standards and Training Commission-approved basic recruit training program at a Florida College System institution or school district technical center for the purposes of meeting the minimum qualifications established in s. 943.13(9) for employment to be a law enforcement officer, as defined in s. 943.10(1). The award shall be an amount equal to the tuition, required fees, and eligible expenses, as described in subsection (5), necessary to complete law enforcement training, less any state financial aid received by the trainee.

(3) The Department of Education shall award scholarships on a first-come, first-served basis, subject to appropriation by the Legislature.

(4) A law enforcement academy trainee sponsored by a law enforcement agency that covers the cost of training is ineligible to receive a scholarship.

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(5) A program scholarship may be used for the following:

(a) The full cost of the tuition and required fees established in ss. 1009.22(3), (5), (6), and (7) and 1009.23(3), (4), (7), (8), (10), and (11), as applicable; and

(b) Up to a total of $1,000 for the following eligible expenses:

1. The law enforcement certification examination;

2. Textbooks;

3. Uniforms;

4. Ammunition;

5. Insurance for the trainee; and

6. Other fees incurred by the trainee for consumable materials necessary to complete law enforcement training.

(6) An award for a nonresident trainee may not be used to pay for any out-of-state fees.

(7) The State Board of Education shall adopt rules for this program before the beginning of the fall semester of the 2022-2023 academic year.

Section 3. Section 1009.8961, Florida Statutes, is created to read:

1009.8961 Out-of-State Law Enforcement Equivalency Reimbursement Program.—

(1) The Out-of-State Law Enforcement Equivalency Reimbursement Program is established within the Department of Education to aid law enforcement recruitment in this state. The Department of Education shall consult with the Department of Law Enforcement in administering the program.

(2) Subject to legislative appropriation, a person who meets the criteria specified in s. 943.13(9)(a) or (b) and who

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relocates from outside this state to become a law enforcement officer as defined in s. 943.10(1) within this state is eligible to receive a reimbursement from the program of up to $1,000 for eligible expenses incurred in obtaining a Florida law enforcement certification.

(3) Eligible individuals for the reimbursement also include those who:

(a) Have served as a full-time sworn law enforcement officer in another state;

(b) Have served as a full-time sworn law enforcement officer for the Federal Government; or

(c) Have served in the special operations forces.

(4) Eligible expenses for reimbursement include the cost of:

(a) Any equivalency assessment used to establish need for equivalency training.

(b) Necessary equivalency training.

(c) The law enforcement officer certification examination.

(5) A law enforcement academy trainee sponsored by a law enforcement agency that covers the cost of training is ineligible to receive a reimbursement.

(6) The Department of Education shall award reimbursements on a first-come, first-served basis, subject to appropriation by the Legislature.

(7) The State Board of Education shall adopt rules for this program before the beginning of the fall semester of the 2022-2023 academic year.

Section 4. This act shall take effect upon becoming a law.

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FL_GOV_22-0226_20-0378A-001083

5-01289-22

A bill to be entitled

An act relating to defamation; amending s. 836.01, F.S.; specifying that a person may not be considered a public figure for the purposes of libel or defamation if the person's fame or notoriety stems from specified circumstances; amending s. 836.02, F.S.; prohibiting persons from printing, writing, publishing, circulating, posting, or distributing on a website or digital application any person's alleged immoral acts or intimating that a person has been guilty of any immorality without publishing in full the true name of such person; providing criminal penalties; amending s. 836.03, F.S.; providing criminal penalties for any owner, manager, publisher, or editor of any website or digital application who permits certain communications or the use of anonymous sources to convey defamatory content that results in a person's good name being attacked or that attempts to bring disgrace or ridicule upon a person; amending s. 836.04, F.S.; authorizing the use of anonymous sources to be introduced as evidence of defamation; deleting a prohibition on speaking of and concerning any woman, married or unmarried, in a manner that falsely and maliciously imputes to her a want of chastity; deleting criminal penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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FL-GOV-22-0226_20-0378A-001084

Section 1. Section 836.01, Florida Statutes, is amended to read:

836.01 Punishment for libel; person considered public figure for purposes of libel or defamation.—

(1) A ~~Any~~ person convicted of the publication of a libel shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person may not be considered a public figure for the purposes of libel or defamation if the person's fame or notoriety stems from any of the following:

(a) Defending himself or herself publicly against an accusation.

(b) No purposeful action of his or her own.

(c) Granting interviews on a specific topic.

(d) Holding a public office other than that of an elected official or an appointment made directly by an elected official.

(e) A video, an image, or a statement uploaded on the Internet which has reached a broad audience.

Section 2. Section 836.02, Florida Statutes, is amended to read:

836.02 Must give name of the party written about.—

(1) A ~~No~~ person may not ~~shall~~ print, write, publish, circulate, post, or distribute within this state any newspaper, magazine, periodical, pamphlet, website, digital application, or other publication of any character, either written or printed, wherein the alleged immoral acts of any person are stated or pretended to be stated, or wherein it is intimated that any person has been guilty of any immorality, unless such written or printed publication shall in such article publish in full the

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true name of the person intended to be charged with the commission of such acts of immorality.

(2) A ~~Any~~ person convicted of a ~~any~~ violation of this section shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A ~~Any~~ person who aids ~~shall aid~~ in any way in the writing or printing of any literature in violation of this section shall be punished in the same manner as the principal might be punished upon conviction. This section does not~~; provided, nothing in this section shall~~ apply to mechanical employees in printing offices~~,~~ or to newspaper delivery persons ~~newsboys~~.

Section 3. Section 836.03, Florida Statutes, is amended to read:

836.03 Owner, manager, publisher, or editor of the newspaper or website ~~paper~~ also guilty.—Any owner, manager, publisher, or editor of any newspaper, website, digital application, or other publication who permits any anonymous communication, ~~or~~ communications such as is signed otherwise than with the true name of the writer, or the use of anonymous sources to convey defamatory content, and such name published therewith to appear in the columns of the publication in which said communication any person is attacked in his or her good name, or it is attempted to bring disgrace or ridicule upon any person, such owner, manager, publisher, or editor commits ~~shall be guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. Section 836.04, Florida Statutes, is amended to read:

836.04 Defamation.—The use of an anonymous source may be

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introduced as evidence of defamation ~~Whoever speaks of and concerning any woman, married or unmarried, falsely and maliciously imputing to her a want of chastity, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083~~.

Section 5. This act shall take effect October 1, 2022.

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FL_GOV_22-0226_20-0378A-001087

5-01290-22

A bill to be entitled

An act relating to relating to election security; creating s. 97.022, F.S.; creating the Office of Election Crimes and Security within the Department of State; designating the office as a criminal justice agency; providing the purpose of the office; authorizing the office to review complaints and investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing the office to conduct certain information gathering and investigations for specified purposes with regard to election officers; authorizing the statewide prosecutor to file a writ of mandamus directly with a specified court to mandate the compliance of certain officials; authorizing the appointment of an office director; specifying the structure of the office; requiring certain qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies empowered to investigate alleged election law violations is not limited, but authorizing the office to assert primary jurisdiction in any such investigation; requiring a statewide prosecutor to investigate complaints referred by the

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office, take action as warranted, and report to the office on final disposition; specifying that a statewide prosecutor's failure to initiate action on a complaint or referral by the office does not bar further action by any other law enforcement entity having jurisdiction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(1) The Office of Election Crimes and Security is created within the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in this state.

(2) The office may review complaints and conduct investigations into alleged violations of the Florida Election Code or any rule adopted pursuant thereto and any election irregularities. As needed, based on the findings of its reviews

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and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election code violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election code violations or election irregularities which it deems frivolous and intended to otherwise disrupt the legal administration of this state's elections or the certification of this state's election results.

(3) In order to ensure that election officers are complying with the Florida Election Code, the office is authorized to conduct proactive information gathering and investigations to identify and prevent potential election code violations or election irregularities. If a case is referred to the statewide prosecutor, he or she may directly file a writ of mandamus with the First District Court of Appeal to mandate the compliance of county supervisors of elections with this code.

(4) The secretary shall appoint a director of the office who is qualified by training and experience in law enforcement or security to supervise, direct, coordinate, and administer all activities of the office.

(5) The office shall consist of a central office in Tallahassee, as well as sworn law enforcement officers having statewide jurisdiction and nonsworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the

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department shall meet the requirements for employment and appointment provided in s. 943.13 and shall satisfy the requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of the Florida Election Code or any rule adopted pursuant thereto, or any law of this state.

(7) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(8) The office shall oversee the department's voter fraud hotline.

(9) This section does not limit the jurisdiction of any other office or agency of this state empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction in any investigation initiated by a local law enforcement agency or state attorney concerning election law violations or election irregularities.

(10) A statewide prosecutor receiving a complaint referred by the office shall investigate the complaint promptly and thoroughly, undertake any related criminal or civil actions as justified by law, and report to the office the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a

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statewide prosecutor to prosecute or initiate action on a complaint or referral by the office may not bar further action by any other law enforcement entity having jurisdiction.

Section 2. This act shall take effect upon becoming a law.

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5-01385-22

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.319, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements destroyed following certain events; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing for construction and retroactive application; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.319, Florida Statutes, is created to read:

197.319 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36.

(b) "Disaster relief credit" means the product arrived at by multiplying the percent change in value by the amount of timely paid taxes initially levied in the year in which the destruction occurred.

(c) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in

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which the destruction occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(e) "Residential improvement" means a multistory residential building comprised of at least 50 dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36 during the 2021 calendar year, taxes initially levied in 2021 must be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application must identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

(c) The application must be verified under oath and is

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subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

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(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

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FL-GOV-22-0226, 20-0378-A-001097

5-01385-22

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.319, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements destroyed following certain events; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing construction; providing retroactive applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.319, Florida Statutes, is created to read:

197.319 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36.

(b) "Disaster relief credit" means the product arrived at by multiplying the percent change in value by the amount of timely paid taxes initially levied in the year in which the destruction occurred.

(c) "Percent change in value" means the difference between

Commented [SS1]: Requester: Because the definition of "damage differential" is the same as "percent change in value", I have deleted it and replaced the phrase with "percent change in value" throughout.

Commented [SS2]: Requester: I could not find the phrase "dangerously unstable" used in the executive orders issued by the Governor. If this phrase was used in a document issued by the Governor or other entity, this definition should be rephrased to refer to that document.

This has been revised to reflect EO 21-148.

Regardless of which document is cited, the language needs to clearly refer to what is intended.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(e) "Residential improvement" means a multistory residential building comprised of at least 50 dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36 during the 2021 calendar year, taxes initially levied in 2021 must be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application must identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

Commented [SS3]: Requester: Please see comment above

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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FL-GOV-22-0226, 20-0378-A-001098

(c) The application must be verified under oath and is subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this

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section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

Commented [SS4]: Requester: since this applies to taxes already paid, it needs this retroactive application clause.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 1:12:28 PM
Attachments:	5-01234-22 Law Enforcement Recruitment.docx 5-01289-22 Defamation.docx 5-01290-22 DOS Election Security.docx 5-10385-22 Propety tax abatement.docx Property Tax Abatement - SS comments.docx

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Afternoon! Going to send a couple of emails with drafts that are completed and ready for your review.

JUST A NOTE THAT ALL DRAFTS HAVE TO BE IN THEIR FINAL VERSION BY JAN 7TH – READY TO APPROVE. If you all have any changes to drafts we sent you then we need those changes back to us by Jan 3rd to get them redrafted and back by the 7th. Thanks!

RE: Draft 10384 / Property Tax Abatement/Surfside – see attachment called "Property Tax Abatement SS Comments" for comments from attorney who drafted it.
Sarah Shuler: (12/8/2021 8:31 AM):
Hi Tonya,
I've attached a document highlighting and explaining some of the revisions that I made to the requested language. Please let me know if you have any questions

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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5-01234-22

A bill to be entitled

An act relating to law enforcement recruitment; creating s. 445.08, F.S.; creating the Florida Law Enforcement Recruitment Bonus Payment Program within the Department of Economic Opportunity; providing the purpose of the program; defining the term "newly employed or appointed full-time law enforcement officer"; specifying that bonus payments awarded by the program are contingent on legislative appropriation and must be adjusted to include the employee share of a specified tax; requiring the funding allocation for the bonus payments to be used in a specified manner; clarifying that applicable collective bargaining units are not precluded from negotiating over wages; requiring bonus payments to be repaid under certain circumstances; providing an exception; requiring the Department of Economic Opportunity to develop an annual plan for the distribution of bonus payments; requiring certain agencies and entities to assist the Department of Economic Opportunity in collecting data necessary to develop and implement the bonus payment plan and otherwise provide information and assistance; providing the requirements of the bonus payment plan; providing eligibility requirements for receiving a bonus payment; requiring the Department of Economic Opportunity to submit the plan to the Office of Policy and Budget in the Executive Office of the Governor and to the Legislature annually by a specified date;

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authorizing the Department of Economic Opportunity to submit budget amendments as necessary to release appropriated funds; prohibiting specified persons from receiving a bonus payment; requiring the Department of Economic Opportunity to adopt rules; creating s. 1009.896, F.S.; establishing the Law Enforcement Academy Scholarship Program within the Department of Education; providing the purpose of the program; requiring the Department of Education to consult with the Department of Law Enforcement in administering the program; requiring the program to provide scholarships to trainees in a Criminal Justice Standards and Training Commission-approved basic recruit training program at a Florida College System institution or school district technical center; providing for the use of program funds; providing for award amounts; requiring the Department of Education to award scholarships on a first-come, first-served basis, subject to appropriation by the Legislature; prohibiting certain law enforcement academy trainees from receiving a scholarship; specifying eligible uses of awards; prohibiting awards from being used to pay out-of-state fees; requiring the State Board of Education to adopt rules by a specified date; creating s. 1009.8961, F.S.; establishing the Out-of-State Law Enforcement Equivalency Reimbursement Program within the Department of Education; providing the purpose of the program; requiring the Department of Education to consult with the Department of Law Enforcement in

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administering the program; authorizing persons who meet certain criteria to receive a reimbursement from the program for up to a specified amount for eligible expenses; providing that a person who meets certain criteria may also receive a reimbursement; specifying eligible expenses; prohibiting certain law enforcement academy trainees from receiving a reimbursement; requiring the Department of Education to award reimbursements on a first-come, first-served basis, subject to appropriation by the Legislature; requiring the State Board of Education to adopt rules by a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 445.08, Florida Statutes, is created to read:

445.08 Florida Law Enforcement Recruitment Bonus Payment Program.—

(1) There is created within the department the Florida Law Enforcement Recruitment Bonus Payment Program. The purpose of the program is to award one-time bonus payments to each newly employed or appointed full-time law enforcement officer within this state. For purposes of this section, the term "newly employed or appointed full-time law enforcement officer" means an individual new to the law enforcement profession in this state employed as a sworn law enforcement officer by a criminal justice employing agency in this state.

(2) Bonus payments awarded to newly employed or appointed

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full-time law enforcement officers are contingent on legislative appropriation and must be adjusted to include 7.65 percent for the employee share of the Federal Insurance Contribution Act tax.

(3) The funding allocation for the bonus payments must be used solely to comply with the requirements of this section, but applicable collective bargaining units are not otherwise precluded from negotiating over wages.

(4) A bonus payment must be repaid to the state if the officer who received the bonus payment does not remain employed as an officer for at least 2 years without a break in service with one or more employers within this state. The officer does not have to repay the bonus payment if the officer receiving the bonus payment is discharged by his or her employer for a reason other than misconduct as defined in s. 443.036.

(5) The department shall develop an annual plan for the distribution of the bonus payments. Applicable state agencies and local entities shall assist the department with the collection of data necessary to develop and implement the plan and shall otherwise provide the department with information or assistance needed to fulfill the requirements of this section. At a minimum, the plan must address the following:

(a) The estimated number of new law enforcement officers to gain employment during the applicable fiscal year.

(b) The method or methods that will be utilized to distribute bonus payment funds to the applicable state and local entities, with the goal of making bonus payments to eligible individuals in the quickest and most efficient manner possible.

(c) The estimated cost to the department for administering

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and distributing the bonus payment funds.

(d) Eligibility criteria for receiving a bonus payment, which must include:

1. Meeting the minimum qualifications pursuant to s. 943.13.

2. Completing the required training or being exempt pursuant to s. 943.13(9) and passing the State Officer Certification Examination. The department shall consult quarterly with the Department of Law Enforcement to receive verification of law enforcement officers certified upon completion of the State Officer Certification Examination.

3. Gaining employment with a Florida criminal justice agency, including completing a full background check and submitting an Officer Certification Application Form CJSTC-59.

4. Having the employment file reviewed and deemed compliant by the Criminal Justice Standards and Training Commission.

5. Meeting any other criteria deemed necessary by the department for determining bonus payment eligibility and distributing bonus payment funds.

(e) The department shall submit the plan to the Office of Policy and Budget in the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee by October 1 of each year. The department is authorized to submit budget amendments pursuant to chapter 216 as necessary to release appropriated funds for distribution to applicable state and local entities under the program.

(6) Current and former law enforcement officers, correctional officers, or other security officers with service

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in this state, and employees in these categories classified as other-personal-services or temporary employees, may not receive a bonus payment under the program.

(7) The department shall adopt rules to implement this section.

Section 2. Section 1009.896, Florida Statutes, is created to read:

1009.896 Law Enforcement Academy Scholarship Program.—

(1) The Law Enforcement Academy Scholarship Program is established within the Department of Education to aid law enforcement recruitment in this state. The Department of Education shall consult with the Department of Law Enforcement in administering the program.

(2) The program shall provide scholarships to trainees in a Criminal Justice Standards and Training Commission-approved basic recruit training program at a Florida College System institution or school district technical center for the purposes of meeting the minimum qualifications established in s. 943.13(9) for employment to be a law enforcement officer, as defined in s. 943.10(1). The award shall be an amount equal to the tuition, required fees, and eligible expenses, as described in subsection (5), necessary to complete law enforcement training, less any state financial aid received by the trainee.

(3) The Department of Education shall award scholarships on a first-come, first-served basis, subject to appropriation by the Legislature.

(4) A law enforcement academy trainee sponsored by a law enforcement agency that covers the cost of training is ineligible to receive a scholarship.

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(5) A program scholarship may be used for the following:

(a) The full cost of the tuition and required fees established in ss. 1009.22(3), (5), (6), and (7) and 1009.23(3), (4), (7), (8), (10), and (11), as applicable; and

(b) Up to a total of $1,000 for the following eligible expenses:

1. The law enforcement certification examination;

2. Textbooks;

3. Uniforms;

4. Ammunition;

5. Insurance for the trainee; and

6. Other fees incurred by the trainee for consumable materials necessary to complete law enforcement training.

(6) An award for a nonresident trainee may not be used to pay for any out-of-state fees.

(7) The State Board of Education shall adopt rules for this program before the beginning of the fall semester of the 2022-2023 academic year.

Section 3. Section 1009.8961, Florida Statutes, is created to read:

1009.8961 Out-of-State Law Enforcement Equivalency Reimbursement Program.—

(1) The Out-of-State Law Enforcement Equivalency Reimbursement Program is established within the Department of Education to aid law enforcement recruitment in this state. The Department of Education shall consult with the Department of Law Enforcement in administering the program.

(2) Subject to legislative appropriation, a person who meets the criteria specified in s. 943.13(9)(a) or (b) and who

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relocates from outside this state to become a law enforcement officer as defined in s. 943.10(1) within this state is eligible to receive a reimbursement from the program of up to $1,000 for eligible expenses incurred in obtaining a Florida law enforcement certification.

(3) Eligible individuals for the reimbursement also include those who:

(a) Have served as a full-time sworn law enforcement officer in another state;

(b) Have served as a full-time sworn law enforcement officer for the Federal Government; or

(c) Have served in the special operations forces.

(4) Eligible expenses for reimbursement include the cost of:

(a) Any equivalency assessment used to establish need for equivalency training.

(b) Necessary equivalency training.

(c) The law enforcement officer certification examination.

(5) A law enforcement academy trainee sponsored by a law enforcement agency that covers the cost of training is ineligible to receive a reimbursement.

(6) The Department of Education shall award reimbursements on a first-come, first-served basis, subject to appropriation by the Legislature.

(7) The State Board of Education shall adopt rules for this program before the beginning of the fall semester of the 2022-2023 academic year.

Section 4. This act shall take effect upon becoming a law.

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5-01289-22

A bill to be entitled

An act relating to defamation; amending s. 836.01, F.S.; specifying that a person may not be considered a public figure for the purposes of libel or defamation if the person's fame or notoriety stems from specified circumstances; amending s. 836.02, F.S.; prohibiting persons from printing, writing, publishing, circulating, posting, or distributing on a website or digital application any person's alleged immoral acts or intimating that a person has been guilty of any immorality without publishing in full the true name of such person; providing criminal penalties; amending s. 836.03, F.S.; providing criminal penalties for any owner, manager, publisher, or editor of any website or digital application who permits certain communications or the use of anonymous sources to convey defamatory content that results in a person's good name being attacked or that attempts to bring disgrace or ridicule upon a person; amending s. 836.04, F.S.; authorizing the use of anonymous sources to be introduced as evidence of defamation; deleting a prohibition on speaking of and concerning any woman, married or unmarried, in a manner that falsely and maliciously imputes to her a want of chastity; deleting criminal penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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FL_GOV_22-0226_20-0378A-001110

Section 1. Section 836.01, Florida Statutes, is amended to read:

836.01 Punishment for libel; person considered public figure for purposes of libel or defamation.—

(1) A ~~Any~~ person convicted of the publication of a libel shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A person may not be considered a public figure for the purposes of libel or defamation if the person's fame or notoriety stems from any of the following:

(a) Defending himself or herself publicly against an accusation.

(b) No purposeful action of his or her own.

(c) Granting interviews on a specific topic.

(d) Holding a public office other than that of an elected official or an appointment made directly by an elected official.

(e) A video, an image, or a statement uploaded on the Internet which has reached a broad audience.

Section 2. Section 836.02, Florida Statutes, is amended to read:

836.02 Must give name of the party written about.—

(1) A ~~No~~ person may not ~~shall~~ print, write, publish, circulate, post, or distribute within this state any newspaper, magazine, periodical, pamphlet, website, digital application, or other publication of any character, either written or printed, wherein the alleged immoral acts of any person are stated or pretended to be stated, or wherein it is intimated that any person has been guilty of any immorality, unless such written or printed publication shall in such article publish in full the

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true name of the person intended to be charged with the commission of such acts of immorality.

(2) A ~~Any~~ person convicted of a ~~any~~ violation of this section shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A ~~Any~~ person who aids ~~shall aid~~ in any way in the writing or printing of any literature in violation of this section shall be punished in the same manner as the principal might be punished upon conviction. This section does not~~; provided, nothing in this section shall~~ apply to mechanical employees in printing offices~~,~~ or to newspaper delivery persons ~~newsboys~~.

Section 3. Section 836.03, Florida Statutes, is amended to read:

836.03 Owner, manager, publisher, or editor of the newspaper or website ~~paper~~ also guilty.—Any owner, manager, publisher, or editor of any newspaper, website, digital application, or other publication who permits any anonymous communication, ~~or~~ communications such as is signed otherwise than with the true name of the writer, or the use of anonymous sources to convey defamatory content, and such name published therewith to appear in the columns of the publication in which said communication any person is attacked in his or her good name, or it is attempted to bring disgrace or ridicule upon any person, such owner, manager, publisher, or editor commits ~~shall be guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. Section 836.04, Florida Statutes, is amended to read:

836.04 Defamation.—The use of an anonymous source may be

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introduced as evidence of defamation ~~Whoever speaks of and concerning any woman, married or unmarried, falsely and maliciously imputing to her a want of chastity, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083~~.

Section 5. This act shall take effect October 1, 2022.

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5-01290-22

A bill to be entitled

An act relating to relating to election security; creating s. 97.022, F.S.; creating the Office of Election Crimes and Security within the Department of State; designating the office as a criminal justice agency; providing the purpose of the office; authorizing the office to review complaints and investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing the office to conduct certain information gathering and investigations for specified purposes with regard to election officers; authorizing the statewide prosecutor to file a writ of mandamus directly with a specified court to mandate the compliance of certain officials; authorizing the appointment of an office director; specifying the structure of the office; requiring certain qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies empowered to investigate alleged election law violations is not limited, but authorizing the office to assert primary jurisdiction in any such investigation; requiring a statewide prosecutor to investigate complaints referred by the

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FL_GOV_22-0226_20-0378A-001114

office, take action as warranted, and report to the office on final disposition; specifying that a statewide prosecutor's failure to initiate action on a complaint or referral by the office does not bar further action by any other law enforcement entity having jurisdiction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(1) The Office of Election Crimes and Security is created within the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in this state.

(2) The office may review complaints and conduct investigations into alleged violations of the Florida Election Code or any rule adopted pursuant thereto and any election irregularities. As needed, based on the findings of its reviews

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and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election code violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election code violations or election irregularities which it deems frivolous and intended to otherwise disrupt the legal administration of this state's elections or the certification of this state's election results.

(3) In order to ensure that election officers are complying with the Florida Election Code, the office is authorized to conduct proactive information gathering and investigations to identify and prevent potential election code violations or election irregularities. If a case is referred to the statewide prosecutor, he or she may directly file a writ of mandamus with the First District Court of Appeal to mandate the compliance of county supervisors of elections with this code.

(4) The secretary shall appoint a director of the office who is qualified by training and experience in law enforcement or security to supervise, direct, coordinate, and administer all activities of the office.

(5) The office shall consist of a central office in Tallahassee, as well as sworn law enforcement officers having statewide jurisdiction and nonsworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the

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department shall meet the requirements for employment and appointment provided in s. 943.13 and shall satisfy the requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of the Florida Election Code or any rule adopted pursuant thereto, or any law of this state.

(7) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(8) The office shall oversee the department's voter fraud hotline.

(9) This section does not limit the jurisdiction of any other office or agency of this state empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction in any investigation initiated by a local law enforcement agency or state attorney concerning election law violations or election irregularities.

(10) A statewide prosecutor receiving a complaint referred by the office shall investigate the complaint promptly and thoroughly, undertake any related criminal or civil actions as justified by law, and report to the office the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a

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statewide prosecutor to prosecute or initiate action on a complaint or referral by the office may not bar further action by any other law enforcement entity having jurisdiction.

Section 2. This act shall take effect upon becoming a law.

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5-01385-22

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.319, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements destroyed following certain events; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing for construction and retroactive application; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.319, Florida Statutes, is created to read:

197.319 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36.

(b) "Disaster relief credit" means the product arrived at by multiplying the percent change in value by the amount of timely paid taxes initially levied in the year in which the destruction occurred.

(c) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in

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which the destruction occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(e) "Residential improvement" means a multistory residential building comprised of at least 50 dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36 during the 2021 calendar year, taxes initially levied in 2021 must be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application must identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

(c) The application must be verified under oath and is

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subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

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(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

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FL-GOV-22-0226, 20-0378-A-001123

5-01385-22

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.319, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements destroyed following certain events; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing construction; providing retroactive applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.319, Florida Statutes, is created to read:

197.319 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36.

(b) "Disaster relief credit" means the product arrived at by multiplying the percent change in value by the amount of timely paid taxes initially levied in the year in which the destruction occurred.

(c) "Percent change in value" means the difference between

Commented [SS1]: Requester: Because the definition of "damage differential" is the same as "percent change in value", I have deleted it and replaced the phrase with "percent change in value" throughout.

Commented [SS2]: Requester: I could not find the phrase "dangerously unstable" used in the executive orders issued by the Governor. If this phrase was used in a document issued by the Governor or other entity, this definition should be rephrased to refer to that document.

This has been revised to reflect EO 21-148.

Regardless of which document is cited, the language needs to clearly refer to what is intended.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(e) "Residential improvement" means a multistory residential building comprised of at least 50 dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36 during the 2021 calendar year, taxes initially levied in 2021 must be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application must identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

Commented [SS3]: Requester: Please see comment above

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FL-GOV-22-0226, 20-0378-A-001124

(c) The application must be verified under oath and is subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this

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FL-GOV-22-0226, 20-0378-A-001125

section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

Commented [SS4]: Requester: since this applies to taxes already paid, it needs this retroactive application clause.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

FL-GOV-22-0226, 20-0378-A-001126

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From:	Shays, Tonya
To:	Kopelousos, Stephanie
Cc:	Dowd, Cory
Subject:	drafts
Date:	Wednesday, December 15, 2021 3:16:42 PM
Attachments:	5-01566-22 riot.docx 5-01564-22 Campaign Finance Initiatives.docx 5-01795-22 DOS Election Crimes Public Records Bill.docx

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The Public Records Bill is linked to draft #01290 (DOS Election Crimes) which sent previously -- see comment by bill drafting below.

Please check with your people on this:
Gabriel Girado: (12/14/2021 11:47 AM): Linked PRX bill for draft number 5-01290-22
Hi Tonya,
This is the linked public records bill for draft number 5-01290-22. Please note that the exemption applies until the investigation ceases to be active or the information is part of a hearing or court proceeding. If you have any questions please do not hesitate to reach out to me. If you require any changes please let us know through a redraft request.
-Gabe

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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5-01566-22

A bill to be entitled

An act relating to rioting; amending s. 870.01, F.S.; revising the circumstances under which a person commits a riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she commits an act of violence as part of ~~willfully participates in a violent public disturbance involving~~ an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

A person who commits a riot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2022.

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5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring or opposing. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

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for permanent residence.

Section 2. This act shall take effect July 1, 2022.

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5-01795-22

A bill to be entitled

An act relating to public records; amending s. 97.022, F.S.; creating a public records exemption for information gathered by the Office of Election Crimes and Security of the Department of State as part of an investigation; specifying circumstances under which the exemption no longer applies; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 97.022, Florida Statutes, as created by SB ____ or similar legislation, is amended to read:

97.022 Office of Election Crimes and Security; election law violations; election irregularities; investigations.—

(7)(a) The office may, for the purposes of any investigation or proceeding it conducts, administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic, or any other type of evidence.

(b) All information received by the office pursuant to an investigation by the office is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active or the information has been made part of a hearing or court proceeding. This paragraph is subject to the Open Government Sunset Review Act in

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FL-GOV-22-0226_20-0378A-001132

accordance with s. 119.15 and shall stand repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that is a public necessity that information received by the Office of Election Crimes and Security during an investigation be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution until the investigation ceases to be active or action taken by the office has concluded or been made part of a hearing or court proceeding. The release of such information about a pending investigation by the office could obstruct or jeopardize the integrity of the investigation or proceeding and impair the ability of the office in the performance of its official duties as required under s. 97.022, Florida Statutes. This exemption creates a secure environment in which the office may conduct its investigation. Therefore, the Legislature finds that it is a public necessity to make such information confidential and exempt from public records requirements.

Section 3. This act shall take effect on the same date that SB ___ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: final log
Date: Thursday, December 2, 2021 8:58:20 AM
Attachments: updated draft list SK.pdf

Tonya J Shays

Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

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Draft Number	Subject	Status	Drafter	Requester	FOR
5-01572-22	Gaming	Drafting		Bradley	sk
5-01561-22	Santa Rosa	Drafting		Bradley	SK
5-01566-22	Riot Definition	Drafting		Bradley	SK
5-01564-22	Campaign Finance	Drafting		Bradley	sk
5-01538-22	Protection of Constitutional Rights	Drafting		Bradley	SK
5-01533-22	Approval of Const Amendments	Drafting		Bradley	SK
5-01517-22	Educ Instruction / CRT	Drafting		Bradley	SK
5-01484-22	FHSAA	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01482-22	School Board Accountability	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01430-22	DOAH Attorneys Fees	Drafting	Shumate, Lisa	Bradley	SK
5-01423-22	Division of Administrative Hearing Attorney Fees	Drafting	Girado, Gabriel	Bradley	SK
5-01420-22	Cabinet Reform - Executive Reorganization	Drafting	Girado, Gabriel	Bradley	SK
5-01416-22	Cabinet Reform DHSMV	Drafting	Girado, Gabriel	Bradley	SK
5-01409-22	Cabinet Reform Vote 10-5-21 FDLE, DEP, VA	Drafting	Girado, Gabriel	Bradley	SK
5-01387-22	Fee Bill for Collect of Income Tax Draft #5-01262	Drafting	Shuler, Sarah	Bradley	SK
5-01386-22	Immigration	Drafting	Ramirez, Johnny	Bradley	SK
5-01385-22	Property Tax Abatement Conforming Bill	Drafting	Shuler, Sarah	Bradley	SK
5-01382-22	Election Crimes and Security	Drafting	Girado, Gabriel	Bradley	SK
5-01363-22	Agency for Health Care Administ	Supervisor Rev	Gilani, Oaj	Bradley	AHCA
5-01290-22	Dept of State / Election Crimes	Drafting	Girado, Gabriel	Bradley	SK
5-01289-22	Defamation	Drafting	Ramirez, Johnny	Bradley	SK

AMERICAN OVERSIGHT

5-01262-22	**Collection of out of state personal Income Taxes**	Drafting	Shuler, Sarah	Bradley	SK
5-01234-22	**Law enforcement recruitment**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01233-22	**Higher Education**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01232-22	**Higher Education Accountability**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01231-22	**Transparency in higher educatio**	Drafting	SimoesPonce, Octavio	Bradley	SK
5-01219-22	**Surveyors - Elevation Certificates**	Released For Approval	Hall, Jennifer	Bradley	SK
5-01213-22	**Statewide Medical Managed Car**	Released For Approval	Shuler, Sarah	Bradley	AHCA
5-01170-22	**Child Care Subsidy / Foster Parer**	Released For Approval	Shuler, Sarah	Bradley	SK
5-01060A-22	**ID Cards**	Released For Approval	Kim, John	Bradley	SK
5-00990-22	**Public Record for Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00983-22	**Florida National Guard**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00982-22	**Medal of Freedom**	Released For Approval	Girado, Gabriel	Bradley	SK
5-00981-22	**Criminal Procedures**	Released For Approval	Girado, Gabriel	Bradley	SK

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AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: immigration drafts
Date: Thursday, January 6, 2022 8:49:56 AM
Attachments: 5-01386A-22 Immigration revised.docx
5-01847-22 Immigration TF.docx

Tonya J Shays

Legislative Assistant
The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01386A-22

A bill to be entitled

An act relating to immigration enforcement; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of entities eligible to request and receive copies of documentation used to verify employment eligibility; amending s. 908.101, F.S.; providing legislative intent; amending s. 908.102, F.S.; revising the definition of term "sanctuary policy" to include a refusal to cooperate or share information related to an investigation of a suspected alien's immigration status; defining the term "unauthorized alien"; creating s. 908.11, F.S.; requiring determination of immigration status during criminal proceedings; requiring reporting; creating s. 908.111, F.S.; prohibiting certain carriers from contracting with a governmental entity if the carrier knowingly transports unauthorized aliens; requiring specified provisions in certain government contracts; creating s. 908.112, F.S.; authorizing the Attorney General to bring civil actions against specified entities; providing for statutory damages and other consequences for transporting or harboring unauthorized aliens; requiring the Department of Economic Opportunity to estimate the number of unauthorized aliens in the state and the costs to the state per unauthorized alien; establishing a hotline for receiving reports alleging potential liability; creating ch. 909, F.S., entitled "Public Benefits for Illegal Aliens"; creating s. 909.011, F.S.; providing

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definitions; creating s. 909.021, F.S.; prohibiting benefits to unauthorized aliens; requiring agencies to confirm eligibility of aid recipients; requiring agencies to adopt rules; creating s. 909.031, F.S.; providing for the collection and reporting of information on services provided to unauthorized aliens; requiring specified agencies to adopt rules; providing for severability; providing a directive to the Division of Law Revision; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

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A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section 908.101, Florida Statutes, is amended to read:

908.101 Legislative findings and intent.—

(1) The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state.

(2) The Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of this state attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in the state, the Legislature finds that the state has a compelling interest in not aiding, assisting, or facilitating the transportation or harboring of unauthorized aliens in this state who have come to, entered, or remain in the United States in violation of law.

Section 3. Paragraphs (d) and (e) of subsection (6) of section 908.102, Florida Statutes, are amended, paragraph (f) is added to that subsection, and subsection (8) is added to that section, to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating

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or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 or pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date pursuant to s. 908.11; or

(f) Providing any information to any state entity on the immigration status of a person in the custody of the law enforcement agency.

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

Section 4. Section 908.11, Florida Statutes, is created to read:

908.11 Immigration identification and reporting.—

(1) A law enforcement agency operating a county jail or another correctional facility shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law

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Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

(2)(a) Each county sheriff shall determine the immigration status of each arrestee at the time of booking in county jail in his or her county. Unless the arrestee can provide government-issued documentation showing proof of citizenship or lawful immigration status, the county sheriff shall inquire with the United States Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c), to make such determination.

(b) Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102, has been issued.

(3) Each clerk of the circuit court shall determine the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the United States Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.

(4) Beginning no later than January 1, 2023, the data collected under subsections (2) and (3) must be reported to the Department of Law Enforcement quarterly and must be published by the department on a public website. The information for each offense must include the type of offense, including whether the offense is a felony or misdemeanor; the county where the offender was arrested or tried; the sex of the offender; and

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whether the offender is an adult or a minor.

Section 5. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.—

(1) A governmental entity, as defined in s. 163.035(1), may not execute or renew a contract with a common carrier, as defined in s. 379.101, or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided after the effective date of this act, any service in furtherance of transporting an unauthorized alien into the state knowingly or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law.

(2) Effective July 1, 2022, any contract between the state and a common carrier or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the state during the contract period knowingly or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law.

Section 6. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory damages for transporting or harboring unauthorized aliens.—

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined

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in s. 605.0102(23)(a), that:

(a) Knowingly or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law transports or moves or attempts to transport or move such unauthorized alien within the state, or into the state, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) Knowingly or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the state, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) must:

(a) Pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity under subsection (4);

(b) Be ineligible to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any governmental entity as defined in s. 163.035(1) for 5 years; and

(c) Be ineligible to receive or renew any license, certification, or credential issued by any governmental entity as defined in s. 163.035(1) for 5 years.

(3) Payments of statutory damages must be deposited into the Illegal Immigration Compensation Trust Fund in accordance with s. 908.113.

(4) Beginning July 1, 2022, and every 2 years thereafter, the Department of Economic Opportunity, with the assistance of

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all executive agencies, cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the costs of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on such aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), final agency action subject to judicial review under s. 120.68, or a decision under s. 120.569, which affects the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

(7) The Attorney General shall publish on a public website the name of any entity found to be liable under this section and the date and amount of the judgment.

Section 7. Chapter 909, Florida Statutes, consisting of sections 909.011-909.031, is created to read:

CHAPTER 909

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PUBLIC BENEFITS FOR ILLEGAL ALIENS

909.011 Definitions.—As used in this chapter, the term:

(1) "Agency" has the same meaning as in s. 120.52.

(2) "Benefit" means any resource, payment, fund, service, or other thing of value provided by the state or any agency.

(3) "Unauthorized alien" has the same meaning as provided in s. 908.102.

909.021 Prohibition of benefits.—

(1) An agency may not provide any benefit to an unauthorized alien except as otherwise expressly authorized or required by federal law or state law or except where necessary to prevent imminent serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) All agencies shall use any applicable and available federal authorities or programs, including the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements (SAVE) Program, to confirm eligibility, based on immigration status, for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.

(3) Each agency shall adopt rules to implement this section.

909.031 Collection of information on services provided to unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, the Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of

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Corrections, the Department of Education, and the Department of Health in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies, to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens.

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, the Agency for Health Care Administration, consistent with federal and state law, shall require managed care plans and hospitals to report any expenditures incurred for unauthorized aliens, including, but not limited to, any programs in which the state participates with Federal Government agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with Federal Government agencies in any programs. This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall provide a report of the requested information required by subsections (1) and (2) for the previous fiscal year to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 1 of each year for the previous fiscal year.

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the

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information provided to the Governor under paragraph (a) available to the public on their websites.

(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section.

Section 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 9. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 10. This act shall take effect upon becoming a law.

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5-01847-22

A bill to be entitled

An act relating to the Illegal Immigration Compensation Trust Fund; creating s. 908.113, F.S.; creating the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity; providing the purpose of the trust fund; providing that the trust fund is exempt from constitutional termination; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 908.113, Florida Statutes, is created to read:

908.113 Illegal Immigration Compensation Trust Fund.—

(1) The Illegal Immigration Compensation Trust Fund is created within the Department of Economic Opportunity.

(2) Funds to be credited to the trust fund shall consist of payments recovered by the Attorney General for statutory damages as provided under s. 908.112. Moneys received and deposited into the trust fund are exempt from the service charges imposed under s. 215.20.

(3) Moneys in the trust fund may be invested in such a manner as provided by law. The interest received on such investment must be credited to the trust fund.

(4) Pursuant to the provisions of s. 19(f)(3), Art. III of the State Constitution, the trust fund is exempt from the termination provisions of s. 19(f)(2), Art. III of the State Constitution.

Section 2. This act shall take effect on the same date that

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SB _____ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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From: Shays, Tonya
To: Kopelousos, Stephanie
Subject: last one!
Date: Thursday, January 6, 2022 11:41:07 AM
Attachments: 5-01289A-22 Defamation revised.docx

Believe that is it for the revisions. Doubt they will have time to do any additional ones at this point…
Tonya

Tonya J Shays
Legislative Assistant

The Florida Senate
Office of Senator Jennifer Bradley
(850)487-5005 Tallahassee
(386)719-2708 Lake City

AMERICAN OVERSIGHT

5-01289A-22

A bill to be entitled

An act relating to free speech and defamation actions; providing legislative findings; amending s. 770.05, F.S.; specifying that venue for certain defamation causes of action is proper in any county where specified material was accessed; amending s. 770.08, F.S.; conforming provisions to changes made by the act; creating s. 770.09, F.S.; specifying that certain provisions relating to attorney fees and costs do not apply to defamation claims; entitling prevailing plaintiffs in defamation claims to reasonable attorney fees and costs; creating s. 770.11, F.S.; prohibiting certain persons from being considered public figures for purposes of establishing a claim for defamation; creating s. 770.12, F.S.; providing that failing to validate or corroborate an alleged defamatory statement is evidence of actual malice; creating s. 770.13, F.S.; creating a presumption that statements by anonymous sources are false for purposes of defamation claims; amending ss. 720.304 and 768.295, F.S.; requiring courts to award attorney fees and costs to certain parties to Strategic Lawsuits Against Public Participation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Legislature finds that:

(1) Defamation is and should be purely a matter of state law.

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(2) *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), and its progeny federalized major aspects of defamation law, notwithstanding the United States Supreme Court's pre-1964 precedents and historical understanding to the contrary, and foreclosed many meritorious defamation claims to the detriment of citizens from all walks of life.

(3) The federalization of defamation law, including the judicially created actual malice standard, bears no relation to the text, structure, or history of the First Amendment to the United States Constitution.

(4) The federalization of defamation law fails to acknowledge that defamatory falsehoods are equally injurious to plaintiffs regardless of whether they are public officials, public figures, or private figures, and regardless of whether the alleged defamatory falsehoods relate to matters of official conduct or of public or private concern.

(5) The federalization of defamation law interferes with the ability of the states to update their defamation laws in response to societal changes, including the widespread proliferation of defamatory falsehoods through new technologies and the ever-diminishing investigation and reporting standards of publishers.

(6) The federalization of defamation law has further fostered an environment in which defamatory falsehoods are routinely published without fear of consequence, but truthful speech is often self-censored for fear of being tarnished without an adequate remedy at law.

(7) The United States Supreme Court should therefore reassess its post-1964 understanding of defamation law and,

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consistent with our nation's system of federalism, return to the states the authority to protect their citizens from defamatory falsehoods and the ability to make their own policy judgments regarding the prevention of defamation.

(8) Under current United States Supreme Court precedent, this state retains a measure of flexibility to continue to formulate its own defamation laws in response to societal changes.

(9) Defamatory statements are regularly published to widespread audiences through the Internet and social media platforms.

(10) Defamatory statements are regularly published without investigation, fact-checking, or editing.

(11) Publishers of defamatory statements regularly rely on anonymous sources, which they know or should know are inherently untrustworthy.

(12) The state has an important interest in protecting its citizens from injurious defamatory statements.

Section 2. Section 770.05, Florida Statutes, is amended to read:

770.05 Limitation of choice of venue.—

(1) No person shall have more than one choice of venue for damages for libel or slander, invasion of privacy, or any other tort founded upon any single publication, exhibition, or utterance, such as any one edition of a newspaper, book, or magazine, any one presentation to an audience, any one broadcast over radio or television, or any one exhibition of a motion picture. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions.

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(2) Notwithstanding any other provision of law, for a defamation cause of action, including, but not limited to, causes of action for libel or slander, if damages for such cause of action are based on material published on the radio, television, or Internet, venue is proper in any county where the material was accessed.

Section 3. Section 770.08, Florida Statutes, is amended to read:

770.08 Limitation on recovery of damages.—Except as provided in s. 770.05(2), no person shall have more than one choice of venue for damages for libel founded upon a single publication or exhibition or utterance, as described in s. 770.05., ~~, and~~ Upon his or her election in any one of his or her choices of venue, ~~then~~ the person shall be bound to recover there all damages allowed him or her.

Section 4. Section 770.09, Florida Statutes, is created to read:

770.09 Applicability of attorney fees and costs for defamation claims.—Section 768.79 does not apply to defamation claims, including, but not limited to, claims for libel or slander. Notwithstanding any other law, a prevailing plaintiff in a defamation claim, including, but not limited to, a claim for libel or slander, is entitled to reasonable attorney fees and costs.

Section 5. Section 770.11, Florida Statutes, is created to read:

770.11 Limitations on judicial determinations of public figures.—A person may not be considered a public figure for purposes of establishing a claim for defamation, including, but

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not limited to, a claim for libel or slander, if his or her fame or notoriety arises solely from any of the following:

(1) Defending himself or herself publicly against accusations.

(2) Granting an interview on a specific topic.

(3) Public employment other than elected office or appointment by an elected official.

(4) A video, image, or statement uploaded on the Internet which has reached a broad audience.

Section 6. Section 770.12, Florida Statutes, is created to read:

770.12 Use of defamatory statements.—Failing to validate or corroborate an alleged defamatory statement is evidence of actual malice.

Section 7. Section 770.13, Florida Statutes, is created to read:

770.13 Presumption regarding anonymous sources.—Statements by anonymous sources are presumed to be false for purposes of defamation claims.

Section 8. Paragraph (c) of subsection (4) of section 720.304, Florida Statutes, is amended to read:

720.304 Right of owners to peaceably assemble; display of flag; SLAPP suits prohibited.—

(4) It is the intent of the Legislature to protect the right of parcel owners to exercise their rights to instruct their representatives and petition for redress of grievances before the various governmental entities of this state as protected by the First Amendment to the United States Constitution and s. 5, Art. I of the State Constitution. The

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Legislature recognizes that "Strategic Lawsuits Against Public Participation" or "SLAPP" suits, as they are typically called, have occurred when members are sued by individuals, business entities, or governmental entities arising out of a parcel owner's appearance and presentation before a governmental entity on matters related to the homeowners' association. However, it is the public policy of this state that government entities, business organizations, and individuals not engage in SLAPP suits because such actions are inconsistent with the right of parcel owners to participate in the state's institutions of government. Therefore, the Legislature finds and declares that prohibiting such lawsuits by governmental entities, business entities, and individuals against parcel owners who address matters concerning their homeowners' association will preserve this fundamental state policy, preserve the constitutional rights of parcel owners, and assure the continuation of representative government in this state. It is the intent of the Legislature that such lawsuits be expeditiously disposed of by the courts.

(c) A parcel owner sued by a governmental entity, business organization, or individual in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A parcel owner may petition the court for an order dismissing the action or granting final judgment in favor of that parcel owner. The petitioner may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the governmental entity's, business organization's, or individual's lawsuit has been brought in violation of this section. The governmental

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entity, business organization, or individual shall thereafter file its response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the petitioner's motion, which shall be held at the earliest possible time after the filing of the governmental entity's, business organization's or individual's response. The court may award the parcel owner sued by the governmental entity, business organization, or individual actual damages arising from the governmental entity's, individual's, or business organization's violation of this section. A court may treble the damages awarded to a prevailing parcel owner and shall state the basis for the treble damages award in its judgment. If a non-moving party prevails on a motion filed under this paragraph, the court shall award the non-moving ~~prevailing~~ party reasonable attorney ~~attorney's~~ fees and costs incurred in connection with a claim that an action was filed in violation of this section.

Section 9. Subsection (4) of section 768.295, Florida Statutes, is amended to read:

768.295 Strategic Lawsuits Against Public Participation (SLAPP) prohibited.—

(4) A person or entity sued by a governmental entity or another person in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A person or entity may move the court for an order dismissing the action or granting final judgment in favor of that person or entity. The person or entity may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the claimant's or governmental entity's lawsuit has been brought in violation of this section.

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The claimant or governmental entity shall thereafter file a response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the motion, which shall be held at the earliest possible time after the filing of the claimant's or governmental entity's response. The court may award, subject to the limitations in s. 768.28, the party sued by a governmental entity actual damages arising from a governmental entity's violation of this section. If a non-moving party prevails on a motion filed under this subsection, the court shall award the non-moving ~~prevailing~~ party reasonable attorney fees and costs incurred in connection with a claim that an action was filed in violation of this section.

Section 10. This act shall take effect July 1, 2022.

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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Shays, Tonya; Heffley, Katelyn
Cc: Burdette,Brenda
Subject: Bill Drafting DOAH attorneys fees
Date: Wednesday, December 1, 2021 9:47:42 AM
Attachments: DOAH Attorneys Fees.docx

Can you put this in bill drafting?
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney's fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). No award of attorney's fees as provided by this subsection shall exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney's fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). No award of attorney's fees as provided by this subsection shall exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

AMERICAN OVERSIGHT

(a) If the appellate court or administrative law judge determines that all or part of an agency statement violates s. 120.54(1)(a), or that the agency must immediately discontinue reliance on the statement and any substantially similar statement pursuant to s. 120.56(4)(f), a judgment or order shall be entered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that the statement is required by the Federal Government to implement or retain a delegated or approved program or to meet a condition to receipt of federal funds.

(b) Upon notification to the administrative law judge provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney's fees accrued by the petitioner prior to the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorneys' fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney's fees as provided by this paragraph may not exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(c) Notwithstanding the provisions of chapter 284, an award shall be paid from the budget entity of the secretary, executive director, or equivalent administrative officer of the agency, and the agency shall not be entitled to payment of an award or reimbursement for payment of an award under any provision of law.

(d) If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and attorney's fees against a party if the appellate court or administrative law judge determines that the party participated in the proceedings for an improper purpose as defined in paragraph (1)(e) or that the party or the party's attorney knew or should have known that a claim was not

AMERICAN OVERSIGHT

supported by the material facts necessary to establish the claim or would not be supported by the application of then-existing law to those material facts.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting DOAH attorneys fees
Date: Wednesday, December 1, 2021 9:47:46 AM
Attachments: DOAH Attorneys Fees.docx

Can you put this in bill drafting?
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

supported by the material facts necessary to establish the claim or would not be supported by the application of then-existing law to those material facts.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	Bill Drafting....CRT
Date:	Wednesday, December 1, 2021 1:31:41 PM
Attachments:	CRT.12.1.21.docx

Sorry….another one

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

An Act related to sexual and racial discrimination

This act shall be referred to as The Correcting Wrongs against Our Kids and Employees Act of 2022.

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a

AMERICAN OVERSIGHT

manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

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3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

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~~(3) Instruction on the required topics must be factual and objective, and may not suppress or distort significant historical events, such as the Holocaust, slavery, the Civil War and Reconstruction, the civil rights movement and the contributions of women, African American and Hispanic people to our country, as already provided in this section. Examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory. Instruction may not utilize material that defines American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence. Instruction must include the U.S. Constitution, the Bill of Rights and subsequent amendments.~~

(34) ~~Efficient and faithful teaching further means that any discussion~~ Public school employees are prohibited from:

(a) providing classroom instruction that is not appropriate for the age and maturity level of the students as determined by state education standards;~~, and teachers serve as facilitators for student discussion,~~

(b) ~~do not~~ compelling students, through grades, rewards, inducements, penalties, punishment, or other means, to engage in political or social activism or advocacy;~~,~~ and

(c) ~~do not share their personal views or~~ attempting to indoctrinate or persuade students to a particular point of view that is inconsistent with state education standards.

(~~45~~) The following concepts shall not be taught in the public schools:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex;

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(i) racism or sexism is the only explanation for observed disparities among racial groups or the sexes; and

(j) the United States or the State of Florida is fundamentally or irredeemably racist or sexist.

~~Prohibited forms of Critical Race Theory instruction and similar historical distortions and unlawful attempts to indoctrinate include, but are not limited to, instruction that teaches:~~

~~(a) Racism is ordinary, ubiquitous, and "endemic" to American life;~~

~~(b) Racism explains all observed disparities among contemporary racial groups;~~

~~(c) Cultural norms such as "legal neutrality, objectivity, color-blindness, and meritocracy" perpetuate inequality and group dominance; and thus "race liberalism" must be rejected in favor of "race consciousness";~~

~~(d) An "insistence on subjectivity" because true insight into the real operation of American life is gained through the "lived experience" of racism by "people of color";~~

~~(e) White people are necessarily complicit in racism by way of their adherence to, and benefit from, dominant cultural norms that invest them with sociopolitical capital ("whiteness");~~

~~(f) The United States or the state of Florida is fundamentally or irredeemably racist or sexist;~~

~~(g) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;~~

~~(h) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, should be blamed for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin;~~

~~(i) An individual's moral character is necessarily determined, in whole or in part, by his or her sex, race, ethnicity, religion, color, or national origin; or~~

~~(j) Knowledge should be analyzed on the basis of whether it is oppressive or exploitative, and not on the basis of whether it is true.~~

(~~5~~6) Members of school district and public school leadership, subject to rules that the State Board of Education must adopt, shall adhere to frameworks for in-service educator professional development that the Florida Department of Education must establish to guide the efficient and faithful teaching of the required topics in this section and state education standards as adopted by the State Board of Education.

(~~6~~7) School districts and public charter schools must adopt policies and procedures to ensure that in-service educator professional development adheres to this section, the state education standards and rules adopted by the State Board of Education and Florida Department of Education frameworks.

(~~7~~8) Definitions:

(a) "Defendant" means a school district, a charter school governing board or charter school network board.

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(b) “Plaintiff” means a parent or guardian, as defined in s. 1014.02(2), of a child, or a student who has attained the age of majority, who attends a school or program operated by a defendant.

(~~8~~9) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce ~~this section~~ subsections (3) and (4) by injunctive or declaratory relief.

(a) In an action brought by a plaintiff ~~based upon an infringement of this section~~ under this subsection, the plaintiff must prove based on a preponderance of evidence that the defendant ~~infringed on this section~~ violated subsection (3) or (4) and failed to cure the ~~infringement~~ violation after notification by defendant or the Florida Department of Education.

(b) The court may award to the prevailing plaintiff the following remedies:

1. equitable relief;

2. costs and fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. statutory damages in the amount of $10,000 per defendant.

(c) A final judgment entered by a court of competent jurisdiction against a party listed in in s. 1008.32 is enforceable by the State Board of Education under the provisions of s. 1008.32, if the defendant persistently fails to comply.

(10) The State Board of Education is hereby empowered, in conjunction and accordance with its enforcement powers under s. 1008.32, to fine, up to $1,000 per day, each school board member, charter school board member, charter school network board member, superintendent or principal for persistent violations of this section. Fines shall not be paid with monies allocated for school operations, teachers salaries or any other funds specified for the purpose of providing educational services. The State Board of Education, at its discretion, may issue such fines retroactively, back to the first date of the notification of ~~infringement~~ violation by the defendant or the Florida Department of Education.

(~~3~~11) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district’s website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student’s parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

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(a) To discharge or to fail or refuse to hire any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities, or adversely affect any individual's status as an employee, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To subject any individual to workplace training that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(vii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(2) It is an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status or to classify or refer for employment any individual on the basis of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(3) It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive

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any individual of employment opportunities, or adversely affect any individual's status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) To subject any individual to training, as a condition of membership, that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(viii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. It shall constitute discrimination under this subsection to subject any individual to training that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

AMERICAN OVERSIGHT

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. It shall constitute discrimination under this subsection to subject any individual to training or education that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

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(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(6) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to print, or cause to be printed or published, any notice or advertisement relating to employment, membership, classification, referral for employment, or apprenticeship or other training, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, pregnancy, national origin, age, absence of handicap, or marital status.

(7) It is an unlawful employment practice for an employer, an employment agency, a joint labor-management committee, or a labor organization to discriminate against any person because that person has opposed any practice which is an unlawful employment practice under this section, or because that person has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section.

(8) Notwithstanding any other provision of this section, it is not an unlawful employment practice under ss. 760.01-760.10 for an employer, employment agency, labor organization, or joint labor-management committee to:

(a) Take or fail to take any action on the basis of religion, sex, pregnancy, national origin, age, handicap, or marital status in those certain instances in which religion, sex, condition of pregnancy, national origin, age, absence of a particular handicap, or marital status is a bona fide occupational qualification reasonably necessary for the performance of the particular employment to which such action or inaction is related.

(b) Observe the terms of a bona fide seniority system, a bona fide employee benefit plan such as a retirement, pension, or insurance plan, or a system which measures earnings by quantity or quality of production, which is not designed, intended, or used to evade the purposes of ss. 760.01-760.10. However, no such employee benefit plan or system which measures earnings shall excuse the failure to hire, and no such seniority system, employee benefit plan, or system which measures earnings shall excuse the involuntary retirement of, any individual on the basis of any factor not related to the ability of such individual to perform the particular employment for which such individual has applied or in which such individual is engaged. This subsection shall not be construed to make unlawful the rejection or termination of employment when the individual applicant or employee has failed to meet bona fide requirements for the job or position sought or held or to require any changes in any bona fide retirement or pension programs or existing collective bargaining agreements during the life of the contract, or for 2 years after October 1, 1981, whichever occurs first, nor shall this act preclude such physical and medical examinations of applicants and employees as an employer may require of applicants and employees to determine fitness for the job or position sought or held.

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(c) Take or fail to take any action on the basis of age, pursuant to law or regulation governing any employment or training program designed to benefit persons of a particular age group.

(d) Take or fail to take any action on the basis of marital status if that status is prohibited under its antinepotism policy.

(9) This section shall not apply to any religious corporation, association, educational institution, or society which conditions opportunities in the area of employment or public accommodation to members of that religious corporation, association, educational institution, or society or to persons who subscribe to its tenets or beliefs. This section shall not prohibit a religious corporation, association, educational institution, or society from giving preference in employment to individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions, or societies of its various activities.

(10) Each employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice provided by the commission setting forth such information as the commission deems appropriate to effectuate the purposes of ss. 760.01-760.10.

History.—s. 6, ch. 77-341; s. 2, ch. 78-49; s. 5, ch. 79-400; s. 1, ch. 81-109; s. 7, ch. 92-177; ss. 2, 4, ch. 92-282; s. 6, ch. 2015-68.

Note.—Former ss. 13.261, 23.167.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting....CRT
Date: Wednesday, December 1, 2021 1:31:45 PM
Attachments: CRT.12.1.21.docx

Sorry….another one

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

An Act related to sexual and racial discrimination

This act shall be referred to as The Correcting Wrongs against Our Kids and Employees Act of 2022.

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a

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manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

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3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

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~~(3) Instruction on the required topics must be factual and objective, and may not suppress or distort significant historical events, such as the Holocaust, slavery, the Civil War and Reconstruction, the civil rights movement and the contributions of women, African American and Hispanic people to our country, as already provided in this section. Examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory. Instruction may not utilize material that defines American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence. Instruction must include the U.S. Constitution, the Bill of Rights and subsequent amendments.~~

(34) ~~Efficient and faithful teaching further means that any discussion~~ Public school employees are prohibited from:

(a) providing classroom instruction that is not appropriate for the age and maturity level of the students as determined by state education standards;~~, and teachers serve as facilitators for student discussion,~~

(b) ~~do not~~ compelling students, through grades, rewards, inducements, penalties, punishment, or other means, to engage in political or social activism or advocacy;~~,~~ and

(c) ~~do not share their personal views or~~ attempting to indoctrinate or persuade students to a particular point of view that is inconsistent with state education standards.

(~~45~~) The following concepts shall not be taught in the public schools:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex;

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(i) racism or sexism is the only explanation for observed disparities among racial groups or the sexes; and

(j) the United States or the State of Florida is fundamentally or irredeemably racist or sexist.

~~Prohibited forms of Critical Race Theory instruction and similar historical distortions and unlawful attempts to indoctrinate include, but are not limited to, instruction that teaches:~~

~~(a) Racism is ordinary, ubiquitous, and "endemic" to American life;~~

~~(b) Racism explains all observed disparities among contemporary racial groups;~~

~~(c) Cultural norms such as "legal neutrality, objectivity, color-blindness, and meritocracy" perpetuate inequality and group dominance; and thus "race liberalism" must be rejected in favor of "race consciousness";~~

~~(d) An "insistence on subjectivity" because true insight into the real operation of American life is gained through the "lived experience" of racism by "people of color";~~

~~(e) White people are necessarily complicit in racism by way of their adherence to, and benefit from, dominant cultural norms that invest them with sociopolitical capital ("whiteness");~~

~~(f) The United States or the state of Florida is fundamentally or irredeemably racist or sexist;~~

~~(g) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;~~

~~(h) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, should be blamed for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin;~~

~~(i) An individual's moral character is necessarily determined, in whole or in part, by his or her sex, race, ethnicity, religion, color, or national origin; or~~

~~(j) Knowledge should be analyzed on the basis of whether it is oppressive or exploitative, and not on the basis of whether it is true.~~

(~~5~~6) Members of school district and public school leadership, subject to rules that the State Board of Education must adopt, shall adhere to frameworks for in-service educator professional development that the Florida Department of Education must establish to guide the efficient and faithful teaching of the required topics in this section and state education standards as adopted by the State Board of Education.

(~~6~~7) School districts and public charter schools must adopt policies and procedures to ensure that in-service educator professional development adheres to this section, the state education standards and rules adopted by the State Board of Education and Florida Department of Education frameworks.

(~~7~~8) Definitions:

(a) "Defendant" means a school district, a charter school governing board or charter school network board.

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(b) “Plaintiff” means a parent or guardian, as defined in s. 1014.02(2), of a child, or a student who has attained the age of majority, who attends a school or program operated by a defendant.

(~~8~~9) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce ~~this section~~ subsections (3) and (4) by injunctive or declaratory relief.

(a) In an action brought by a plaintiff ~~based upon an infringement of this section~~ under this subsection, the plaintiff must prove based on a preponderance of evidence that the defendant ~~infringed on this section~~ violated subsection (3) or (4) and failed to cure the ~~infringement~~ violation after notification by defendant or the Florida Department of Education.

(b) The court may award to the prevailing plaintiff the following remedies:

1. equitable relief;

2. costs and fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. statutory damages in the amount of $10,000 per defendant.

(c) A final judgment entered by a court of competent jurisdiction against a party listed in in s. 1008.32 is enforceable by the State Board of Education under the provisions of s. 1008.32, if the defendant persistently fails to comply.

(10) The State Board of Education is hereby empowered, in conjunction and accordance with its enforcement powers under s. 1008.32, to fine, up to $1,000 per day, each school board member, charter school board member, charter school network board member, superintendent or principal for persistent violations of this section. Fines shall not be paid with monies allocated for school operations, teachers salaries or any other funds specified for the purpose of providing educational services. The State Board of Education, at its discretion, may issue such fines retroactively, back to the first date of the notification of ~~infringement~~ violation by the defendant or the Florida Department of Education.

(~~3~~11) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district’s website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student’s parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

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(a) To discharge or to fail or refuse to hire any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities, or adversely affect any individual's status as an employee, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To subject any individual to workplace training that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(vii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(2) It is an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status or to classify or refer for employment any individual on the basis of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(3) It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive

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any individual of employment opportunities, or adversely affect any individual's status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) To subject any individual to training, as a condition of membership, that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(viii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. It shall constitute discrimination under this subsection to subject any individual to training that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

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(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. It shall constitute discrimination under this subsection to subject any individual to training or education that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

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(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

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(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(6) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to print, or cause to be printed or published, any notice or advertisement relating to employment, membership, classification, referral for employment, or apprenticeship or other training, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, pregnancy, national origin, age, absence of handicap, or marital status.

(7) It is an unlawful employment practice for an employer, an employment agency, a joint labor-management committee, or a labor organization to discriminate against any person because that person has opposed any practice which is an unlawful employment practice under this section, or because that person has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section.

(8) Notwithstanding any other provision of this section, it is not an unlawful employment practice under ss. 760.01-760.10 for an employer, employment agency, labor organization, or joint labor-management committee to:

(a) Take or fail to take any action on the basis of religion, sex, pregnancy, national origin, age, handicap, or marital status in those certain instances in which religion, sex, condition of pregnancy, national origin, age, absence of a particular handicap, or marital status is a bona fide occupational qualification reasonably necessary for the performance of the particular employment to which such action or inaction is related.

(b) Observe the terms of a bona fide seniority system, a bona fide employee benefit plan such as a retirement, pension, or insurance plan, or a system which measures earnings by quantity or quality of production, which is not designed, intended, or used to evade the purposes of ss. 760.01-760.10. However, no such employee benefit plan or system which measures earnings shall excuse the failure to hire, and no such seniority system, employee benefit plan, or system which measures earnings shall excuse the involuntary retirement of, any individual on the basis of any factor not related to the ability of such individual to perform the particular employment for which such individual has applied or in which such individual is engaged. This subsection shall not be construed to make unlawful the rejection or termination of employment when the individual applicant or employee has failed to meet bona fide requirements for the job or position sought or held or to require any changes in any bona fide retirement or pension programs or existing collective bargaining agreements during the life of the contract, or for 2 years after October 1, 1981, whichever occurs first, nor shall this act preclude such physical and medical examinations of applicants and employees as an employer may require of applicants and employees to determine fitness for the job or position sought or held.

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(c) Take or fail to take any action on the basis of age, pursuant to law or regulation governing any employment or training program designed to benefit persons of a particular age group.

(d) Take or fail to take any action on the basis of marital status if that status is prohibited under its antinepotism policy.

(9) This section shall not apply to any religious corporation, association, educational institution, or society which conditions opportunities in the area of employment or public accommodation to members of that religious corporation, association, educational institution, or society or to persons who subscribe to its tenets or beliefs. This section shall not prohibit a religious corporation, association, educational institution, or society from giving preference in employment to individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions, or societies of its various activities.

(10) Each employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice provided by the commission setting forth such information as the commission deems appropriate to effectuate the purposes of ss. 760.01-760.10.

History.—s. 6, ch. 77-341; s. 2, ch. 78-49; s. 5, ch. 79-400; s. 1, ch. 81-109; s. 7, ch. 92-177; ss. 2, 4, ch. 92-282; s. 6, ch. 2015-68.

Note.—Former ss. 13.261, 23.167.

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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Shays, Tonya; Heffley, Katelyn
Cc: Burdette,Brenda
Subject: Bill Drafting...Gaming
Date: Wednesday, December 1, 2021 4:07:20 PM
Attachments: Language - FGCC.doc

Last One……
Thank you for everything.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

Section XX. Subsection (6) is created and added to section 16.71, Florida Statutes, to read:

16.71 Florida Gaming Control Commission; creation; meetings; membership; authority prior to July 1, 2022.—

(1) CREATION; MEETINGS.—

(a) There is created within the Department of Legal Affairs, Office of the Attorney General, the Florida Gaming Control Commission, hereinafter referred to as the commission. The commission shall be a separate budget entity, and the commissioners shall serve as the agency head. The commission's exercise of executive powers in the area of planning, budgeting, personnel management, and purchasing shall be as provided by law.

(b) The commission is not subject to control, supervision, or direction by the Department of Legal Affairs or the Attorney General in the performance of its duties, including, but not limited to, personnel, purchasing transactions involving real or personal property, and budgetary matters.

(c) The commission shall convene at the call of its chair or at the request of a majority of the members of the commission. Meetings may be held via teleconference or other electronic means. Three members of the commission constitute a quorum, and the affirmative vote

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of the majority of a quorum is required for any action or recommendation by the commission. However, notwithstanding any other provision of law, the affirmative vote of three members is required to adopt a proposed rule, including an amendment to or repeal of an existing rule that meets or exceeds any of the criteria in s. 120.54(3)(b)1. or s. 120.541(2)(a). The commission may meet in any city or county of the state.

(2) MEMBERSHIP.—

(a) The commission shall consist of five members appointed by the Governor, and subject to confirmation by the Senate, for terms of 4 years. Members of the commission must be appointed by January 1, 2022. The Governor shall consider appointees who reflect Florida's racial, ethnic, and gender diversity. Of the initial five members appointed by the Governor, and immediately upon appointment, the Governor shall appoint one of the members as the initial chair and one of the members as the initial vice chair. At the end of the initial chair's and vice chair's terms pursuant to subparagraph 1., the commission shall elect one of the members of the commission as chair and one of the members of the commission as vice chair.

1. For the purpose of providing staggered terms, of the initial appointments, two members shall be appointed to

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4-year terms, two members shall be appointed to 3-year terms, and one member shall be appointed to a 2-year term.

2. Of the five members, at least one member must have at least 10 years of experience in law enforcement and criminal investigations, at least one member must be a certified public accountant licensed in this state with at least 10 years of experience in accounting and auditing, and at least one member must be an attorney admitted and authorized to practice law in this state for at least the preceding 10 years.

3. Of the five members, each appellate district shall have one member appointed from the district to the commission who is a resident of the district at the time of the original appointment.

(b) A commissioner shall serve until a successor is appointed, but commissioners may not serve more than 12 years. Vacancies shall be filled for the unexpired portion of the term. The salary of each commissioner is equal to that paid under state law to a commissioner on the Florida Public Service Commission.

(c) The Governor shall have the same power to remove or suspend commissioners as set forth in s. 7, Art. IV of the State Constitution. In addition to such power, the Governor must remove a member who is convicted of or

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found guilty of or has pled nolo contendere to, regardless of adjudication, in any jurisdiction, a misdemeanor that directly relates to gambling, dishonesty, theft, or fraud.

(d) Upon the resignation or removal from office of a member of the commission, the Governor shall appoint a successor pursuant to paragraph (a) who, subject to confirmation by the Senate, shall serve the remainder of the unfinished term.

(3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

(a) A person may not be appointed by the Governor to the commission until a level 2 background screening pursuant to chapter 435 is performed, the results are forwarded to the Governor, and the Governor determines that the person meets all the requirements for appointment under this section. However, a person who is prohibited from being appointed under s. 16.713 may not be appointed by the Governor.

(b) The Governor may not solicit or request any nominations, recommendations, or communications about potential candidates for appointment to the commission from:

1. Any person that holds a permit or license issued under chapter 550, or a license issued under chapter 551 or chapter 849; an officer, official, or employee of such

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permitholder or licensee; or an ultimate equitable owner, as defined in s. 550.002(37), of such permitholder or licensee;

2. Any officer, official, employee, or other person with duties or responsibilities relating to a gaming operation owned by an Indian tribe that has a valid and active compact with the state; a contractor or subcontractor of such tribe or an entity employed, licensed, or contracted by such tribe; or an ultimate equitable owner, as defined in s. 550.002(37), of such entity; or

3. Any registered lobbyist for the executive or legislative branch who represents any person or entity identified in subparagraph 1. or subparagraph 2.

(4) EXECUTIVE DIRECTOR.—

(a) To aid the commission in its duties, the commission must appoint a person who is not a member of the commission to serve as the executive director of the commission. A person may not be appointed as executive director until a level 2 background screening pursuant to chapter 435 is performed, the results are forwarded to the commission, and the commission determines that the person meets all the requirements for appointment as the executive director. The executive director shall supervise, direct, coordinate, and administer all activities necessary to fulfill the commission's

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responsibilities. The commission must appoint the executive director by April 1, 2022.

(b) The executive director, with the consent of the commission, shall employ such staff as are necessary to adequately perform the functions of the commission, within budgetary limitations.

(c) The executive director shall maintain headquarters in and reside in Leon County.

(d) The salary of the executive director is equal to that paid under state law to a commissioner on the Florida Public Service Commission.

(5) INSPECTOR GENERAL.— The chair of the commission shall appoint an inspector general who shall perform the duties of an inspector general under s. 20.055.

(6) AUTHORITY PRIOR TO JULY 1, 2022. — Notwithstanding the effective date of s. 16.712, the commission is authorized to do the following prior to July 1, 2022:

(a) adopt rules to implement s. 16.712;

(b) contract or consult with appropriate agencies of state government as may be needed in the discharge of its duties; and

(c) adopt rules as may be needed to comply with, and exercise the authority of the State racing commission as provided in, the federal Horseracing Integrity and Safety Act, 15 U.S.C. § 3051, et seq.

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Section XX. This act shall take effect upon becoming a law.

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting...Gaming
Date: Wednesday, December 1, 2021 4:07:24 PM
Attachments: Language - FGCC.doc

Last One……
Thank you for everything.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

Section XX. Subsection (6) is created and added to section 16.71, Florida Statutes, to read:

16.71 Florida Gaming Control Commission; creation; meetings; membership; authority prior to July 1, 2022.—

(1) CREATION; MEETINGS.—

(a) There is created within the Department of Legal Affairs, Office of the Attorney General, the Florida Gaming Control Commission, hereinafter referred to as the commission. The commission shall be a separate budget entity, and the commissioners shall serve as the agency head. The commission's exercise of executive powers in the area of planning, budgeting, personnel management, and purchasing shall be as provided by law.

(b) The commission is not subject to control, supervision, or direction by the Department of Legal Affairs or the Attorney General in the performance of its duties, including, but not limited to, personnel, purchasing transactions involving real or personal property, and budgetary matters.

(c) The commission shall convene at the call of its chair or at the request of a majority of the members of the commission. Meetings may be held via teleconference or other electronic means. Three members of the commission constitute a quorum, and the affirmative vote

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(2) MEMBERSHIP.—

(a) The commission shall consist of five members appointed by the Governor, and subject to confirmation by the Senate, for terms of 4 years. Members of the commission must be appointed by January 1, 2022. The Governor shall consider appointees who reflect Florida's racial, ethnic, and gender diversity. Of the initial five members appointed by the Governor, and immediately upon appointment, the Governor shall appoint one of the members as the initial chair and one of the members as the initial vice chair. At the end of the initial chair's and vice chair's terms pursuant to subparagraph 1., the commission shall elect one of the members of the commission as chair and one of the members of the commission as vice chair.

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3. Of the five members, each appellate district shall have one member appointed from the district to the commission who is a resident of the district at the time of the original appointment.

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(d) Upon the resignation or removal from office of a member of the commission, the Governor shall appoint a successor pursuant to paragraph (a) who, subject to confirmation by the Senate, shall serve the remainder of the unfinished term.

(3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

(a) A person may not be appointed by the Governor to the commission until a level 2 background screening pursuant to chapter 435 is performed, the results are forwarded to the Governor, and the Governor determines that the person meets all the requirements for appointment under this section. However, a person who is prohibited from being appointed under s. 16.713 may not be appointed by the Governor.

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AMERICAN OVERSIGHT

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(b) The executive director, with the consent of the commission, shall employ such staff as are necessary to adequately perform the functions of the commission, within budgetary limitations.

(c) The executive director shall maintain headquarters in and reside in Leon County.

(d) The salary of the executive director is equal to that paid under state law to a commissioner on the Florida Public Service Commission.

(5) INSPECTOR GENERAL.— The chair of the commission shall appoint an inspector general who shall perform the duties of an inspector general under s. 20.055.

(6) AUTHORITY PRIOR TO JULY 1, 2022. — Notwithstanding the effective date of s. 16.712, the commission is authorized to do the following prior to July 1, 2022:

(a) adopt rules to implement s. 16.712;

(b) contract or consult with appropriate agencies of state government as may be needed in the discharge of its duties; and

(c) adopt rules as may be needed to comply with, and exercise the authority of the State racing commission as provided in, the federal Horseracing Integrity and Safety Act, 15 U.S.C. § 3051, et seq.

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AMERICAN OVERSIGHT

Section XX. This act shall take effect upon becoming a law.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Bcc:	Burdette,Brenda
Subject:	Full Elections bill
Date:	Tuesday, November 30, 2021 8:53:46 PM
Attachments:	Election Crimes and Security Full Bill Draft 11.30.21.docx

Can you please put this in bill drafting?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to election security; creating s. 97.022, F.S., creating the Office of Election Crimes and Security Office within the Department of State; specifying the purpose of the office; providing authorization for the office to investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing a director and other staff for the office; specifying the structure of the office; providing required qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies of government empowered to investigate alleged election law violations is not limited, but authorizes the office to assert primary jurisdiction over any such investigation; requiring a statewide prosecutor to investigate complaints referred by the office, take action as warranted, and report to the office on final disposition; specifying that statewide prosecutor failure to initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction; amending s. 97.0291, clarifying the prohibition on accepting or using nongovernmental donations for any type of election administration expense; amending 98.075, clarifying and specifying the responsibility of supervisors of elections to accept, evaluate, and act on information provided indicating potential voter ineligibility; providing process deadlines for

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V

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FL-GOV-22-0226, 20-0378-A-001211

supervisors of elections to act on such information; amending s. 98.093, requiring clerks of the circuit court to provide to the Department of State monthly information on the terms of sentence, including the related financial obligations, of all those in the clerk's records listed as living in Florida and having been convicted of a felony;; requiring the Department of Highway Safety and Motor Vehicles to provide to the Department of State monthly information on those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card; amending s. 101.5614, specifying that observing duplication of mail-in ballots requires signing an affidavit affirming acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a third degree felony; amending s. 101.62, nullifying previous vote-by-mail ballot requests received by a certain date; requiring supervisors of elections to mail notices stating that those wishing to continue voting by mail must submit new requests for vote-by-mail ballots; amending s. 101.69, specifying that voting drop boxes may only be placed and used at sites at which early voting or Election Day voting is also taking place; requiring that all drop box sites have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites; requiring all drop box sites to post signs stating that each drop box is being monitored by election staff and video surveillance, and that possessing or voting more than the number of ballots allowed under state law is a third degree felony; requiring the Secretary of State to approve the proposed number

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FL-GOV-22-0226, 20-0378-A-001212

of drop boxes to be used and the proposed locations of the drop box sites; creating s. 101.80, prohibiting the use of ranked-choice voting in any Florida state or local election; amending s. 104.0616, changing the designation of possessing or voting more than the number of ballots allowed under state law from a first degree misdemeanor to a third degree felony; amending s. 104.185, changing penalty to third degree felony; amending s. 104.186, changing penalty to third degree felony; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations and election irregularities.—

(1) The Office of Election Crimes and Security is created in the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in any Florida county or municipality.

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V

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FL-GOV-22-0226, 20-0378-A-001213

(2) The office is authorized to review complaints and conduct investigations into alleged violations of any provision of Title IX or any rule adopted pursuant thereto. As needed based on the findings of its reviews and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election law violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election law violations or election irregularities that it deems frivolous and intended to otherwise disrupt the legal administration of Florida elections or the certification of Florida election results.

(4) The secretary shall appoint a director of the Office of Election Crimes and Security. Qualifications for the director shall include training and experience in law enforcement or security provision. The director shall supervise, direct, coordinate, and administer all activities of the office.

(5) The Office of Election Crimes and Security shall consist of a central office in Tallahassee, as well as sworn law enforcement officers with statewide jurisdictions and non-sworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the department shall meet the requirements for employment and appointment provided in s. 943.13, and shall satisfy the

Commented [MBR1]: What is meant by Title IX? It appears to be sex discrimination in Education??

I'm confused by this paragraph - what is the interaction between this paragraph and 97.012(15) and 106.25(1) and (2)? Are you modifying the powers/duties that already exist in law? I think I sent over language previously that referred to statutory framework already in place. If you are trying to do something different than the language I previously sent, just be aware of the below provisions already in law.

SOS already has jurisdiction to conduct preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and report findings to statewide prosecutor or state attorney of that judicial circuit in question. See 97.012(15).

Compare that jurisdiction to the FEC in 106.24 and 106.25. FEC is a separate entity housed within the Office of the Attorney General and it is authorized to investigate and determine violations of chapter 106 and 104 (this does not limit jurisdiction of any other officer or agency empowered by law to investigate or act upon violations of the code). FEC can only investigate after having received sworn complaint or info from Division of Elections. 106.25(2), Fla. Stat.

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AMERICAN OVERSIGHT

requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to Chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of any provision of Title IX or any rule adopted pursuant thereto, or any law of this state.

(7) The office shall, for the purposes of any investigation or proceeding conducted by the office, have the authority to administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic-based, or any other type of evidence. Evidence gathered as authorized by this subsection is exempt from public records requirements under Chapter 119 and s. 24(a), Art. I of the State Constitution.

(8) The office shall oversee the department's voter fraud hotline.

(9) Nothing in this section limits the jurisdiction of any other offices or agencies of government empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction over any investigation initiated by a local law enforcement agency or state attorney of election law violations or election irregularities.

(10) It is the duty of each statewide prosecutor receiving a complaint referred by the office to investigate the complaint promptly and thoroughly, to undertake any related criminal or civil actions as justified by law, and to report to the office

Commented [MBR2]: Again, I don't know what this is referring to.

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the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a statewide prosecutor to prosecute or initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction.

Section 2. Section 97.0291, Florida Statutes, is amended to read:

97.0291 Prohibition on use of private funds for election-related expenses.—No agency or state or local official responsible for conducting elections, including, but not limited to, a supervisor of elections, may solicit, accept, use, or dispose of any donation in the form of money, grants, property, or personal services from an individual or a nongovernmental entity for the purpose of funding any type of ~~election-related~~ expense~~s~~ related to election administration, including but not limited to ~~or~~ voter education, voter outreach, ~~or~~ voter registration programs, or the cost of any litigation related to election administration. This section does not prohibit the donation and acceptance of space to be used for a polling room or an early voting site.

Section 3. Subsection (3) of section 98.065, Florida Statutes, are amended to read:

(3) A registration list maintenance program must be conducted by each supervisor, at a minimum, ~~in each odd-numbered year~~ every six months and must be completed not later than 90 days prior to the date of any federal election. All list maintenance actions associated with each voter must be entered,

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FL-GOV-22-0226, 20-0378-A-001216

tracked, and maintained in the statewide voter registration system.

Section 4. Subsections (3), (5), (6) and paragraph (a) of subsection (7) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(3) DECEASED PERSONS.-

(a)1. The department shall identify those registered voters who are deceased by comparing information received from either:

a. The Department of Health as provided in s. 98.093; ~~or~~

b. The United States Social Security Administration, including, but not limited to, any master death file or index compiled by the United States Social Security Administration; or

c. The Department of Highway Safety and Motor Vehicles.

2. Within 7 days after receipt of such information through the statewide voter registration system, the supervisor shall remove the name of the registered voter.

(b) The supervisor shall remove the name of a deceased registered voter from the statewide voter registration system within 7 days upon:

1. Receiving ~~receipt of~~ a copy of a death certificate issued by a governmental agency authorized to issue death certificates;

2. Determining that credible and reliable information exists that a registered voter is deceased based on a published obituary or notice of death, a letter of probate or estate administration, personal knowledge of a registered voter's

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FL-GOV-22-0226, 20-0378-A-001217

death, or a signed writing from another registered voter indicating the full name, address, date of birth, and date of death of the registered voter.

(5) FELONY CONVICTION.—

(a) The department shall identify those registered voters who have been convicted of a felony and whose voting rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney's Office, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation indicating the potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

(b) For information received by a supervisor directly from a source other than the department, including but not limited to, a clerk of the circuit court pursuant to section 98.093, the supervisor shall review such information and make a determination as to whether the information is credible and reliable. If the supervisor determines that the information is credible and reliable, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of

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FL-GOV-22-0226, 20-0378-A-001218

the registered voter's name from the statewide voter registration system.

(7) PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(6), the supervisor of the county in which the voter is registered shall:

1. Notify the registered voter of his or her potential ineligibility by mail within 7 days after receipt of notice or information. The notice shall include:

a. A statement of the basis for the registered voter's potential ineligibility and a copy of any documentation upon which the potential ineligibility is based. Such documentation must include any conviction from another jurisdiction determined to be a similar offense to murder or a felony sexual offense, as those terms are defined in s. 98.0751.

b. A statement that failure to respond within 30 days after receipt of the notice may result in a determination of ineligibility and in removal of the registered voter's name from the statewide voter registration system.

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

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V

AMERICAN OVERSIGHT

e. Instructions for the registered voter to contact the supervisor of elections of the county in which the voter is registered if assistance is needed in resolving the matter.

f. Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4, Art. VI of the State Constitution following a felony conviction, if applicable.

2. If the mailed notice is returned as undeliverable, the supervisor shall, within 30 days of receiving the returned notice, publish notice once in a newspaper of general circulation in the county in which the voter was last registered. The notice shall contain the following:

a. The voter's name and address.

b. A statement that the voter is potentially ineligible to be registered to vote.

c. A statement that failure to respond within 30 days after the notice is published may result in a determination of ineligibility by the supervisor and removal of the registered voter's name from the statewide voter registration system.

d. An instruction for the voter to contact the supervisor no later than 30 days after the date of the published notice to receive information regarding the basis for the potential ineligibility and the procedure to resolve the matter.

e. An instruction to the voter that, if further assistance is needed, the voter should contact the supervisor of elections of the county in which the voter is registered.

3. If a registered voter fails to respond to a notice pursuant to subparagraph 1. within 30 days after receipt of the

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001220

notice, or subparagraph 2. within 30 days after the date of the published notice, the supervisor shall, within 30 days of the failure to respond, make a final determination of the voter's eligibility. If the supervisor determines that the voter is ineligible, the supervisor shall, within 7 days, remove the name of the registered voter from the statewide voter registration system. The supervisor shall notify the registered voter of the supervisor's determination and action.

4. If a registered voter responds to the notice pursuant to subparagraph 1. or subparagraph 2. and admits the accuracy of the information underlying the potential ineligibility, the supervisor shall make a final determination of ineligibility and shall remove the voter's name from the statewide voter registration system within 7 days after receiving the voter's response to the notice. The supervisor shall notify the registered voter of the supervisor's determination and action.

5. If a registered voter responds to the notice issued pursuant to subparagraph 1. or subparagraph 2. and denies the accuracy of the information underlying the potential ineligibility but does not request a hearing, the supervisor shall review the evidence and, within 30 days of receiving the voter's response, make a final determination of eligibility. If such registered voter requests a hearing, the supervisor shall, within 7 days of receiving the voter's response, send notice to the registered voter to attend a hearing at a time and place specified in the notice. The supervisor shall schedule and hold the hearing within 30 days of receiving the voter's request for a hearing. Upon hearing all evidence presented at the hearing, the supervisor shall, within 30 days of the conclusion of the

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hearing, make a determination of eligibility. If the supervisor determines that the registered voter is ineligible, the supervisor shall, within 7 days, remove the voter's name from the statewide voter registration system and notify the registered voter of the supervisor's determination and action.

Section 5. Section 98.093, Florida Statutes, is amended to read:

98.093 Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, ~~and~~ persons convicted of a felony, and persons who are not citizens of the United States.—

(1) In order to identify ineligible registered voters and maintain accurate and current voter registration records in the statewide voter registration system pursuant to procedures in s. 98.065 or s. 98.075, it is necessary for the department and supervisors of elections to receive or access certain information from state and federal officials and entities in the format prescribed.

(2) To the maximum extent feasible, state and local government agencies shall facilitate provision of information and access to data to the department, including, but not limited to, databases that contain reliable criminal records and records of deceased persons. State and local government agencies that provide such data shall do so without charge if the direct cost incurred by those agencies is not significant.

(a) The Department of Health shall furnish monthly to the department a list containing the name, address, date of birth, date of death, social security number, race, and sex of each deceased person 17 years of age or older.

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(b) Each clerk of the circuit court shall furnish monthly to the department a list of those persons who have been adjudicated mentally incapacitated with respect to voting during the preceding calendar month, a list of those persons whose mental capacity with respect to voting has been restored during the preceding calendar month, and a list of those persons who have returned signed jury notices during the preceding months to the clerk of the circuit court indicating a change of address. Each clerk of the circuit court shall furnish monthly to each supervisor elections a list of those persons convicted of a felony during the preceding calendar month who was a resident of that supervisor's county. Each list shall include the name, address, date of birth, race, sex, and, whichever is available, the Florida driver license number, Florida identification card number, or social security number of each such person.

(~~c~~d) Upon receipt of information from the United States Attorney, listing persons convicted of a felony in federal court, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

(~~d~~e) The Department of Law Enforcement shall identify those persons who have been convicted of a felony who appear in the voter registration records supplied by the statewide voter registration system, in a time and manner that enables the department to meet its obligations under state and federal law.

(~~e~~f) The Florida Commission on Offender Review shall furnish at least bimonthly to the department data, including the identity of those persons granted clemency in the preceding

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month or any updates to prior records which have occurred in the preceding month. The data shall contain the commission's case number and the person's name, address, date of birth, race, gender, Florida driver license number, Florida identification card number, or the last four digits of the social security number, if available, and references to record identifiers assigned by the Department of Corrections and the Department of Law Enforcement, a unique identifier of each clemency case, and the effective date of clemency of each person.

(~~f~~g) The Department of Corrections shall identify those persons who have been convicted of a felony and committed to its custody or placed on community supervision. The information must be provided to the department at a time and in a manner that enables the department to identify registered voters who are convicted felons and to meet its obligations under state and federal law.

(~~g~~h) The Department of Highway Safety and Motor Vehicles shall furnish monthly to the department a list of those persons whose names have been removed from the driver license database because they have been licensed in another state. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The Department of Highway Safety and Motor Vehicles shall also furnish monthly to the department a list of those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The department shall use such information to

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identify registered voters who may be potentially ineligible based on the information provided in accordance with s. 98.075.

(3) This section does not limit or restrict the supervisor in his or her duty to remove the names of persons from the statewide voter registration system pursuant to s. 98.075(7) based upon information received from other sources.

Section 6. Paragraph (a) of subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614(4)(a) Canvas of returns.-

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the voting system's automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in an open and accessible room in the presence of witnesses and substituted for the damaged ballot. Likewise, a duplicate ballot shall be made of a vote-by-mail ballot containing an overvoted race if there is a clear indication on the ballot that the voter has made a definite choice in the overvoted race or ballot measure. A duplicate shall include all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). A duplicate may be made of a ballot containing an undervoted race or ballot measure if there is a clear indication on the ballot that the voter has made a definite choice in the undervoted race or ballot measure. A duplicate may not include a vote if the voter's intent in such race or on such measure is not clear. Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots upon signing an affidavit affirming his

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or her acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. The observer must be allowed to observe the duplication of ballots in such a way that the observer is able to see the markings on each ballot and the duplication taking place. All duplicate ballots must be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. The duplication of ballots must happen in the presence of at least one canvassing board member. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct. If any observer makes a reasonable objection to a duplicate of a ballot, the ballot must be presented to the canvassing board for a determination of the validity of the duplicate. The canvassing board must document the serial number of the ballot in the canvassing board's minutes. The canvassing board must decide whether the duplication is valid. If the duplicate ballot is determined to be valid, the duplicate ballot must be counted. If the duplicate ballot is determined to be invalid, the duplicate ballot must be rejected and a proper duplicate ballot must be made and counted in lieu of the original.

Section 7. Subsection (8) is added to section 101.62, Florida Statutes, to read:

101.62 Request for vote-by-mail ballots.—

(1)(a) The supervisor shall accept a request for a vote-by-mail ballot from an elector in person or in writing. One request

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is deemed sufficient to receive a vote-by-mail ballot for all elections through the end of the calendar year of the next regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections within such period for which the elector desires to receive a vote-by-mail ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written, an in-person, or a telephonic request for a vote-by-mail ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. If an in-person or a telephonic request is made, the elector must provide the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records. If the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing. A written request must be signed by the elector and include the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number. However, an absent uniformed service voter or an overseas voter seeking a vote-by-mail ballot is not required to submit a signed, written request for a vote-by-mail ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System. For purposes

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of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.

2. The elector's address.

3. The elector's date of birth.

4. The elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records.

5. The requester's name.

6. The requester's address.

7. The requester's driver license number, the requester's identification card number, or the last four digits of the requester's social security number, if available.

8. The requester's relationship to the elector.

9. The requester's signature (written requests only).

(c) Upon receiving a request for a vote-by-mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her vote-by-mail ballot.

(2) A request for a vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 10th day before the election by the supervisor. The supervisor shall mail vote-by-mail ballots to voters requesting ballots by such deadline no later than 8 days before the election.

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(3) For each request for a vote-by-mail ballot received, the supervisor shall record: the date the request was made; the identity of the voter's designee making the request, if any; the Florida driver license number, Florida identification card number, or last four digits of the social security number of the elector provided with a written request; the date the vote-by-mail ballot was delivered to the voter or the voter's designee or the date the vote-by-mail ballot was delivered to the post office or other carrier; the address to which the ballot was mailed or the identity of the voter's designee to whom the ballot was delivered; the date the ballot was received by the supervisor; the absence of the voter's signature on the voter's certificate, if applicable; whether the voter's certificate contains a signature that does not match the elector's signature in the registration books or precinct register; and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by division rule. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(4)(a) No later than 45 days before each presidential preference primary election, primary election, and general

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election, the supervisor of elections shall send a vote-by-mail ballot as provided in subparagraph (c)2. to each absent uniformed services voter and to each overseas voter who has requested a vote-by-mail ballot.

(b) The supervisor shall mail a vote-by-mail ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 40th and 33rd days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail vote-by-mail ballots within 2 business days after receiving a request for such a ballot.

(c) The supervisor shall provide a vote-by-mail ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the vote-by-mail ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the vote-by-mail ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

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4. By delivery to a designee on election day or up to 9 days before the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, grandchild, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. Except as provided in s. 101.655, the supervisor may not deliver a vote-by-mail ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If a vote-by-mail ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for

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delivery of the vote-by-mail ballot. The department shall adopt a rule providing for the form of the affidavit.

(5) If the department is unable to certify candidates for an election in time to comply with paragraph (4)(a), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters.

(6) Only the materials necessary to vote by mail may be mailed or delivered with any vote-by-mail ballot.

(7) Except as expressly authorized for voters having a disability under s. 101.662, for overseas voters under s. 101.697, or for local referenda under ss. 101.6102 and 101.6103, a county, municipality, or state agency may not send a vote-by-mail ballot to a voter unless the voter has requested a vote-by-mail ballot in the manner authorized under this section.

(8) Effective March 31, 2022, all requests for vote-by-mail ballots previously received and accepted by each supervisor of elections under subsection (1) are declared null and void. By April 1, 2022, each supervisor shall begin the process of mailing notices to all vote-by-mail ballot requestors whose requests had been received and accepted prior to April 1, 2022, stating that a new vote-by-mail ballot request must be submitted if the elector wishes to vote-by-mail in any election occurring through the end of the calendar year of the next regularly scheduled general election. Each supervisor must complete the process of mailing the notices to all those impacted by April 30, 2022.

Section 8. Paragraphs (a) and (b) of subsection (2) of section 101.69, Florida Statutes, are amended to read:

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And other points made during discussion.

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101.69 Voting in person; return of vote-by-mail ballot.—

(2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure drop box. Secure drop boxes shall be placed at the main office of the supervisor, at each permanent branch office of the supervisor, and at each early voting site. Secure drop boxes may only be placed and used at sites at which early voting is also taking place ~~also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1)~~. Drop boxes must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. Except for secure drop boxes at an office of the supervisor, a secure drop box may only be used during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office. A secure drop box at an office of the supervisor must be continuously monitored in person by an employee of the supervisor's office when the drop box is accessible for deposit of ballots. All drop box sites must have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites. Such cameras must be placed in a location at each drop box site that shows each secure drop box and allows for the recording of each person's face as he or she places a ballot or ballots into a secure drop box. All video footage of secure drop boxes used during an election must be collected and retained by each supervisor pursuant to s. 101.545. All drop box sites shall have signs posted in a clearly visible location,

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stating that each drop box is being monitored by election staff and by video surveillance, and that under Section 104.0616, Florida Statutes, any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except for specific circumstances as designated in Florida state law, commits a felony of the third degree punishable by a term of imprisonment of up to 5 years and a fine of up to $5,000.

(b) A supervisor shall designate each drop box site at least 30 days before an election. The supervisor shall provide the address of each drop box location to the division at least 30 days before an election, ~~.~~ and for each jurisdiction the Secretary of State shall approve the proposed number of drop boxes to be used and the proposed locations of the drop box sites. After a drop box location has been designated, it may not be moved or changed except as approved by the division to correct a violation of this subsection.

Section 9. Section 101.80, Florida Statutes, is created to read:

101.80 Ranked-choice voting prohibited. –

(1) Any method of ranked-choice voting that allows voters to rank candidates in order of preference, for the purpose of tabulating ballots in multiple rounds if required based on voter rankings, and eliminating candidates until a single candidate attains a majority, may not be used in determining the nomination or election of any candidate to any Florida state or local elective office.

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(2) Any existing or future ordinance, charter, other governing authority, or law enacted or adopted by a county, a municipality, or any other local governmental entity which is in conflict with this section is void.

Section 10. Subsection (2) of section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(2) Any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except as provided in ss. 101.6105-101.694, including supervised voting at assisted living facilities and nursing home facilities as authorized under s. 101.655, commits a ~~misdemeanor~~ felony of the ~~first~~ third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 11. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084.

Section 12. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—

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A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 13. This act shall take effect upon becoming a law.

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From: Kopelousos, Stephanie
To: "Shays, Tonya"
Bcc: Burdette,Brenda
Subject: Full Elections bill
Date: Tuesday, November 30, 2021 8:53:49 PM
Attachments: Election Crimes and Security Full Bill Draft 11.30.21.docx

---

Can you please put this in bill drafting?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to election security; creating s. 97.022, F.S., creating the Office of Election Crimes and Security Office within the Department of State; specifying the purpose of the office; providing authorization for the office to investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing a director and other staff for the office; specifying the structure of the office; providing required qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies of government empowered to investigate alleged election law violations is not limited, but authorizes the office to assert primary jurisdiction over any such investigation; requiring a statewide prosecutor to investigate complaints referred by the office, take action as warranted, and report to the office on final disposition; specifying that statewide prosecutor failure to initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction; amending s. 97.0291, clarifying the prohibition on accepting or using nongovernmental donations for any type of election administration expense; amending 98.075, clarifying and specifying the responsibility of supervisors of elections to accept, evaluate, and act on information provided indicating potential voter ineligibility; providing process deadlines for

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supervisors of elections to act on such information; amending s. 98.093, requiring clerks of the circuit court to provide to the Department of State monthly information on the terms of sentence, including the related financial obligations, of all those in the clerk's records listed as living in Florida and having been convicted of a felony;; requiring the Department of Highway Safety and Motor Vehicles to provide to the Department of State monthly information on those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card; amending s. 101.5614, specifying that observing duplication of mail-in ballots requires signing an affidavit affirming acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a third degree felony; amending s. 101.62, nullifying previous vote-by-mail ballot requests received by a certain date; requiring supervisors of elections to mail notices stating that those wishing to continue voting by mail must submit new requests for vote-by-mail ballots; amending s. 101.69, specifying that voting drop boxes may only be placed and used at sites at which early voting or Election Day voting is also taking place; requiring that all drop box sites have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites; requiring all drop box sites to post signs stating that each drop box is being monitored by election staff and video surveillance, and that possessing or voting more than the number of ballots allowed under state law is a third degree felony; requiring the Secretary of State to approve the proposed number

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of drop boxes to be used and the proposed locations of the drop box sites; creating s. 101.80, prohibiting the use of ranked-choice voting in any Florida state or local election; amending s. 104.0616, changing the designation of possessing or voting more than the number of ballots allowed under state law from a first degree misdemeanor to a third degree felony; amending s. 104.185, changing penalty to third degree felony; amending s. 104.186, changing penalty to third degree felony; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations and election irregularities.—

(1) The Office of Election Crimes and Security is created in the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in any Florida county or municipality.

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(2) The office is authorized to review complaints and conduct investigations into alleged violations of any provision of Title IX or any rule adopted pursuant thereto. As needed based on the findings of its reviews and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election law violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election law violations or election irregularities that it deems frivolous and intended to otherwise disrupt the legal administration of Florida elections or the certification of Florida election results.

(4) The secretary shall appoint a director of the Office of Election Crimes and Security. Qualifications for the director shall include training and experience in law enforcement or security provision. The director shall supervise, direct, coordinate, and administer all activities of the office.

(5) The Office of Election Crimes and Security shall consist of a central office in Tallahassee, as well as sworn law enforcement officers with statewide jurisdictions and non-sworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the department shall meet the requirements for employment and appointment provided in s. 943.13, and shall satisfy the

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I'm confused by this paragraph - what is the interaction between this paragraph and 97.012(15) and 106.25(1) and (2)? Are you modifying the powers/duties that already exist in law? I think I sent over language previously that referred to statutory framework already in place. If you are trying to do something different than the language I previously sent, just be aware of the below provisions already in law.

SOS already has jurisdiction to conduct preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and report findings to statewide prosecutor or state attorney of that judicial circuit in question. See 97.012(15).

Compare that jurisdiction to the FEC in 106.24 and 106.25. FEC is a separate entity housed within the Office of the Attorney General and it is authorized to investigate and determine violations of chapter 106 and 104 (this does not limit jurisdiction of any other officer or agency empowered by law to investigate or act upon violations of the code). FEC can only investigate after having received sworn complaint or info from Division of Elections. 106.25(2), Fla. Stat.

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requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to Chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of any provision of Title IX or any rule adopted pursuant thereto, or any law of this state.

(7) The office shall, for the purposes of any investigation or proceeding conducted by the office, have the authority to administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic-based, or any other type of evidence. Evidence gathered as authorized by this subsection is exempt from public records requirements under Chapter 119 and s. 24(a), Art. I of the State Constitution.

(8) The office shall oversee the department's voter fraud hotline.

(9) Nothing in this section limits the jurisdiction of any other offices or agencies of government empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction over any investigation initiated by a local law enforcement agency or state attorney of election law violations or election irregularities.

(10) It is the duty of each statewide prosecutor receiving a complaint referred by the office to investigate the complaint promptly and thoroughly, to undertake any related criminal or civil actions as justified by law, and to report to the office

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the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a statewide prosecutor to prosecute or initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction.

Section 2. Section 97.0291, Florida Statutes, is amended to read:

97.0291 Prohibition on use of private funds for election-related expenses.—No agency or state or local official responsible for conducting elections, including, but not limited to, a supervisor of elections, may solicit, accept, use, or dispose of any donation in the form of money, grants, property, or personal services from an individual or a nongovernmental entity for the purpose of funding any type of ~~election-related~~ expense~~s~~ related to election administration, including but not limited to ~~or~~ voter education, voter outreach, ~~or~~ voter registration programs, or the cost of any litigation related to election administration. This section does not prohibit the donation and acceptance of space to be used for a polling room or an early voting site.

Section 3. Subsection (3) of section 98.065, Florida Statutes, are amended to read:

(3) A registration list maintenance program must be conducted by each supervisor, at a minimum, ~~in each odd-numbered year~~ every six months and must be completed not later than 90 days prior to the date of any federal election. All list maintenance actions associated with each voter must be entered,

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tracked, and maintained in the statewide voter registration system.

Section 4. Subsections (3), (5), (6) and paragraph (a) of subsection (7) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(3) DECEASED PERSONS.-

(a)1. The department shall identify those registered voters who are deceased by comparing information received from either:

a. The Department of Health as provided in s. 98.093; ~~or~~

b. The United States Social Security Administration, including, but not limited to, any master death file or index compiled by the United States Social Security Administration; or

c. The Department of Highway Safety and Motor Vehicles.

2. Within 7 days after receipt of such information through the statewide voter registration system, the supervisor shall remove the name of the registered voter.

(b) The supervisor shall remove the name of a deceased registered voter from the statewide voter registration system within 7 days upon:

1. Receiving ~~receipt of~~ a copy of a death certificate issued by a governmental agency authorized to issue death certificates;

2. Determining that credible and reliable information exists that a registered voter is deceased based on a published obituary or notice of death, a letter of probate or estate administration, personal knowledge of a registered voter's

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death, or a signed writing from another registered voter indicating the full name, address, date of birth, and date of death of the registered voter.

(5) FELONY CONVICTION.—

(a) The department shall identify those registered voters who have been convicted of a felony and whose voting rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney's Office, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation indicating the potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

(b) For information received by a supervisor directly from a source other than the department, including but not limited to, a clerk of the circuit court pursuant to section 98.093, the supervisor shall review such information and make a determination as to whether the information is credible and reliable. If the supervisor determines that the information is credible and reliable, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of

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the registered voter's name from the statewide voter registration system.

(7) PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(6), the supervisor of the county in which the voter is registered shall:

1. Notify the registered voter of his or her potential ineligibility by mail within 7 days after receipt of notice or information. The notice shall include:

a. A statement of the basis for the registered voter's potential ineligibility and a copy of any documentation upon which the potential ineligibility is based. Such documentation must include any conviction from another jurisdiction determined to be a similar offense to murder or a felony sexual offense, as those terms are defined in s. 98.0751.

b. A statement that failure to respond within 30 days after receipt of the notice may result in a determination of ineligibility and in removal of the registered voter's name from the statewide voter registration system.

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

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e. Instructions for the registered voter to contact the supervisor of elections of the county in which the voter is registered if assistance is needed in resolving the matter.

f. Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4, Art. VI of the State Constitution following a felony conviction, if applicable.

2. If the mailed notice is returned as undeliverable, the supervisor shall, within 30 days of receiving the returned notice, publish notice once in a newspaper of general circulation in the county in which the voter was last registered. The notice shall contain the following:

a. The voter's name and address.

b. A statement that the voter is potentially ineligible to be registered to vote.

c. A statement that failure to respond within 30 days after the notice is published may result in a determination of ineligibility by the supervisor and removal of the registered voter's name from the statewide voter registration system.

d. An instruction for the voter to contact the supervisor no later than 30 days after the date of the published notice to receive information regarding the basis for the potential ineligibility and the procedure to resolve the matter.

e. An instruction to the voter that, if further assistance is needed, the voter should contact the supervisor of elections of the county in which the voter is registered.

3. If a registered voter fails to respond to a notice pursuant to subparagraph 1. within 30 days after receipt of the

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notice, or subparagraph 2. within 30 days after the date of the published notice, the supervisor shall, within 30 days of the failure to respond, make a final determination of the voter's eligibility. If the supervisor determines that the voter is ineligible, the supervisor shall, within 7 days, remove the name of the registered voter from the statewide voter registration system. The supervisor shall notify the registered voter of the supervisor's determination and action.

4. If a registered voter responds to the notice pursuant to subparagraph 1. or subparagraph 2. and admits the accuracy of the information underlying the potential ineligibility, the supervisor shall make a final determination of ineligibility and shall remove the voter's name from the statewide voter registration system within 7 days after receiving the voter's response to the notice. The supervisor shall notify the registered voter of the supervisor's determination and action.

5. If a registered voter responds to the notice issued pursuant to subparagraph 1. or subparagraph 2. and denies the accuracy of the information underlying the potential ineligibility but does not request a hearing, the supervisor shall review the evidence and, within 30 days of receiving the voter's response, make a final determination of eligibility. If such registered voter requests a hearing, the supervisor shall, within 7 days of receiving the voter's response, send notice to the registered voter to attend a hearing at a time and place specified in the notice. The supervisor shall schedule and hold the hearing within 30 days of receiving the voter's request for a hearing. Upon hearing all evidence presented at the hearing, the supervisor shall, within 30 days of the conclusion of the

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hearing, make a determination of eligibility. If the supervisor determines that the registered voter is ineligible, the supervisor shall, within 7 days, remove the voter's name from the statewide voter registration system and notify the registered voter of the supervisor's determination and action.

Section 5. Section 98.093, Florida Statutes, is amended to read:

98.093 Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, ~~and~~ persons convicted of a felony, and persons who are not citizens of the United States.—

(1) In order to identify ineligible registered voters and maintain accurate and current voter registration records in the statewide voter registration system pursuant to procedures in s. 98.065 or s. 98.075, it is necessary for the department and supervisors of elections to receive or access certain information from state and federal officials and entities in the format prescribed.

(2) To the maximum extent feasible, state and local government agencies shall facilitate provision of information and access to data to the department, including, but not limited to, databases that contain reliable criminal records and records of deceased persons. State and local government agencies that provide such data shall do so without charge if the direct cost incurred by those agencies is not significant.

(a) The Department of Health shall furnish monthly to the department a list containing the name, address, date of birth, date of death, social security number, race, and sex of each deceased person 17 years of age or older.

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(b) Each clerk of the circuit court shall furnish monthly to the department a list of those persons who have been adjudicated mentally incapacitated with respect to voting during the preceding calendar month, a list of those persons whose mental capacity with respect to voting has been restored during the preceding calendar month, and a list of those persons who have returned signed jury notices during the preceding months to the clerk of the circuit court indicating a change of address. Each clerk of the circuit court shall furnish monthly to each supervisor elections a list of those persons convicted of a felony during the preceding calendar month who was a resident of that supervisor's county. Each list shall include the name, address, date of birth, race, sex, and, whichever is available, the Florida driver license number, Florida identification card number, or social security number of each such person.

(~~c~~d) Upon receipt of information from the United States Attorney, listing persons convicted of a felony in federal court, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

(~~d~~e) The Department of Law Enforcement shall identify those persons who have been convicted of a felony who appear in the voter registration records supplied by the statewide voter registration system, in a time and manner that enables the department to meet its obligations under state and federal law.

(~~e~~f) The Florida Commission on Offender Review shall furnish at least bimonthly to the department data, including the identity of those persons granted clemency in the preceding

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month or any updates to prior records which have occurred in the preceding month. The data shall contain the commission's case number and the person's name, address, date of birth, race, gender, Florida driver license number, Florida identification card number, or the last four digits of the social security number, if available, and references to record identifiers assigned by the Department of Corrections and the Department of Law Enforcement, a unique identifier of each clemency case, and the effective date of clemency of each person.

(~~f~~g) The Department of Corrections shall identify those persons who have been convicted of a felony and committed to its custody or placed on community supervision. The information must be provided to the department at a time and in a manner that enables the department to identify registered voters who are convicted felons and to meet its obligations under state and federal law.

(~~g~~h) The Department of Highway Safety and Motor Vehicles shall furnish monthly to the department a list of those persons whose names have been removed from the driver license database because they have been licensed in another state. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The Department of Highway Safety and Motor Vehicles shall also furnish monthly to the department a list of those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The department shall use such information to

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identify registered voters who may be potentially ineligible based on the information provided in accordance with s. 98.075.

(3) This section does not limit or restrict the supervisor in his or her duty to remove the names of persons from the statewide voter registration system pursuant to s. 98.075(7) based upon information received from other sources.

Section 6. Paragraph (a) of subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614(4)(a) Canvas of returns.-

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the voting system's automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in an open and accessible room in the presence of witnesses and substituted for the damaged ballot. Likewise, a duplicate ballot shall be made of a vote-by-mail ballot containing an overvoted race if there is a clear indication on the ballot that the voter has made a definite choice in the overvoted race or ballot measure. A duplicate shall include all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). A duplicate may be made of a ballot containing an undervoted race or ballot measure if there is a clear indication on the ballot that the voter has made a definite choice in the undervoted race or ballot measure. A duplicate may not include a vote if the voter's intent in such race or on such measure is not clear. Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots upon signing an affidavit affirming his

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or her acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. The observer must be allowed to observe the duplication of ballots in such a way that the observer is able to see the markings on each ballot and the duplication taking place. All duplicate ballots must be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. The duplication of ballots must happen in the presence of at least one canvassing board member. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct. If any observer makes a reasonable objection to a duplicate of a ballot, the ballot must be presented to the canvassing board for a determination of the validity of the duplicate. The canvassing board must document the serial number of the ballot in the canvassing board's minutes. The canvassing board must decide whether the duplication is valid. If the duplicate ballot is determined to be valid, the duplicate ballot must be counted. If the duplicate ballot is determined to be invalid, the duplicate ballot must be rejected and a proper duplicate ballot must be made and counted in lieu of the original.

Section 7. Subsection (8) is added to section 101.62, Florida Statutes, to read:

101.62 Request for vote-by-mail ballots.—

(1)(a) The supervisor shall accept a request for a vote-by-mail ballot from an elector in person or in writing. One request

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is deemed sufficient to receive a vote-by-mail ballot for all elections through the end of the calendar year of the next regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections within such period for which the elector desires to receive a vote-by-mail ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written, an in-person, or a telephonic request for a vote-by-mail ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. If an in-person or a telephonic request is made, the elector must provide the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records. If the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing. A written request must be signed by the elector and include the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number. However, an absent uniformed service voter or an overseas voter seeking a vote-by-mail ballot is not required to submit a signed, written request for a vote-by-mail ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System. For purposes

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of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.

2. The elector's address.

3. The elector's date of birth.

4. The elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records.

5. The requester's name.

6. The requester's address.

7. The requester's driver license number, the requester's identification card number, or the last four digits of the requester's social security number, if available.

8. The requester's relationship to the elector.

9. The requester's signature (written requests only).

(c) Upon receiving a request for a vote-by-mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her vote-by-mail ballot.

(2) A request for a vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 10th day before the election by the supervisor. The supervisor shall mail vote-by-mail ballots to voters requesting ballots by such deadline no later than 8 days before the election.

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(3) For each request for a vote-by-mail ballot received, the supervisor shall record: the date the request was made; the identity of the voter's designee making the request, if any; the Florida driver license number, Florida identification card number, or last four digits of the social security number of the elector provided with a written request; the date the vote-by-mail ballot was delivered to the voter or the voter's designee or the date the vote-by-mail ballot was delivered to the post office or other carrier; the address to which the ballot was mailed or the identity of the voter's designee to whom the ballot was delivered; the date the ballot was received by the supervisor; the absence of the voter's signature on the voter's certificate, if applicable; whether the voter's certificate contains a signature that does not match the elector's signature in the registration books or precinct register; and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by division rule. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(4)(a) No later than 45 days before each presidential preference primary election, primary election, and general

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election, the supervisor of elections shall send a vote-by-mail ballot as provided in subparagraph (c)2. to each absent uniformed services voter and to each overseas voter who has requested a vote-by-mail ballot.

(b) The supervisor shall mail a vote-by-mail ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 40th and 33rd days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail vote-by-mail ballots within 2 business days after receiving a request for such a ballot.

(c) The supervisor shall provide a vote-by-mail ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the vote-by-mail ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the vote-by-mail ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

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4. By delivery to a designee on election day or up to 9 days before the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, grandchild, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. Except as provided in s. 101.655, the supervisor may not deliver a vote-by-mail ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If a vote-by-mail ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for

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delivery of the vote-by-mail ballot. The department shall adopt a rule providing for the form of the affidavit.

(5) If the department is unable to certify candidates for an election in time to comply with paragraph (4)(a), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters.

(6) Only the materials necessary to vote by mail may be mailed or delivered with any vote-by-mail ballot.

(7) Except as expressly authorized for voters having a disability under s. 101.662, for overseas voters under s. 101.697, or for local referenda under ss. 101.6102 and 101.6103, a county, municipality, or state agency may not send a vote-by-mail ballot to a voter unless the voter has requested a vote-by-mail ballot in the manner authorized under this section.

(8) Effective March 31, 2022, all requests for vote-by-mail ballots previously received and accepted by each supervisor of elections under subsection (1) are declared null and void. By April 1, 2022, each supervisor shall begin the process of mailing notices to all vote-by-mail ballot requestors whose requests had been received and accepted prior to April 1, 2022, stating that a new vote-by-mail ballot request must be submitted if the elector wishes to vote-by-mail in any election occurring through the end of the calendar year of the next regularly scheduled general election. Each supervisor must complete the process of mailing the notices to all those impacted by April 30, 2022.

Section 8. Paragraphs (a) and (b) of subsection (2) of section 101.69, Florida Statutes, are amended to read:

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And other points made during discussion.

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101.69 Voting in person; return of vote-by-mail ballot.—

(2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure drop box. Secure drop boxes shall be placed at the main office of the supervisor, at each permanent branch office of the supervisor, and at each early voting site. Secure drop boxes may only be placed and used at sites at which early voting is also taking place ~~also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1)~~. Drop boxes must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. Except for secure drop boxes at an office of the supervisor, a secure drop box may only be used during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office. A secure drop box at an office of the supervisor must be continuously monitored in person by an employee of the supervisor's office when the drop box is accessible for deposit of ballots. All drop box sites must have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites. Such cameras must be placed in a location at each drop box site that shows each secure drop box and allows for the recording of each person's face as he or she places a ballot or ballots into a secure drop box. All video footage of secure drop boxes used during an election must be collected and retained by each supervisor pursuant to s. 101.545. All drop box sites shall have signs posted in a clearly visible location,

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stating that each drop box is being monitored by election staff and by video surveillance, and that under Section 104.0616, Florida Statutes, any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except for specific circumstances as designated in Florida state law, commits a felony of the third degree punishable by a term of imprisonment of up to 5 years and a fine of up to $5,000.

(b) A supervisor shall designate each drop box site at least 30 days before an election. The supervisor shall provide the address of each drop box location to the division at least 30 days before an election, ~~.~~ and for each jurisdiction the Secretary of State shall approve the proposed number of drop boxes to be used and the proposed locations of the drop box sites. After a drop box location has been designated, it may not be moved or changed except as approved by the division to correct a violation of this subsection.

Section 9. Section 101.80, Florida Statutes, is created to read:

101.80 Ranked-choice voting prohibited. –

(1) Any method of ranked-choice voting that allows voters to rank candidates in order of preference, for the purpose of tabulating ballots in multiple rounds if required based on voter rankings, and eliminating candidates until a single candidate attains a majority, may not be used in determining the nomination or election of any candidate to any Florida state or local elective office.

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(2) Any existing or future ordinance, charter, other governing authority, or law enacted or adopted by a county, a municipality, or any other local governmental entity which is in conflict with this section is void.

Section 10. Subsection (2) of section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(2) Any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except as provided in ss. 101.6105-101.694, including supervised voting at assisted living facilities and nursing home facilities as authorized under s. 101.655, commits a ~~misdemeanor~~ felony of the ~~first~~ third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 11. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084.

Section 12. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001262

A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 13. This act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001263

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 14, 2022

Date: Monday, March 14, 2022 5:16:00 PM

The Governor's Office received the following bills today:

CS/SB 520 – Public Records and Public Meetings

AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

The Governor has until March 29, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Omphroy, Anika; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; _All EOG OPB SDD; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 31, 2022
Date: Thursday, March 31, 2022 3:41:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

The Governor has until April 15, 2022 to act on this bill.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	bill drafting - santa rosa Bridge Authority
Date:	Wednesday, December 1, 2021 3:57:20 PM
Attachments:	2022 SRBBA.docx

Please put in bill drafting.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to transportation, transferring control of the Santa Rosa Bay Bridge Authority system to the Florida Department of Transportation; transferring all assets, rights, powers, duties, and bond liabilities of the authority to the department; transferring all provisions that protect the rights of certain bondholders from the authority to the department; authorizing the use of department funds to acquire, redeem, defease or refinance outstanding bonds of the authority; authorizing transfer of the bridge system to Florida's Turnpike Enterprise; authorizing the use of turnpike revenues and issuance of turnpike revenue bonds to acquire, redeem, defease or refinance outstanding bonds of the authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Santa Rosa Bay Bridge Authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Transfer to the Florida Department of Transportation.— The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. All powers of the authority shall succeed to the department, and the operations and maintenance of the bridge system shall be under the control of the department, pursuant to this section. The department also assumes all liability for bonds of the bridge authority pursuant to the provisions of subsection (2). The

AMERICAN OVERSIGHT

department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations that are determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided for the protection of the holders of the Santa Rosa Bay Bridge Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department or pledge department revenues to payment of the bonds. Revenues that are generated by the bridge system and other facilities of the authority and that were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than revenues of the bridge system.

AMERICAN OVERSIGHT

(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may utilize any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement shall be terminated. Upon the acquisition, redemption, defeasance or refinancing of all the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system shall be deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by chapter 2017-42, section 7, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Santa Rosa Bay Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223. In addition to the provisions of subsection (3), the department is authorized to

AMERICAN OVERSIGHT

purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to section 11(f), Art. VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance or refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section shall be in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275. This section shall not be construed as repealing any of the provisions of any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law, ss. 338.22-338.241; but shall supersede such other law or laws as are inconsistent with the provisions of this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761,

AMERICAN OVERSIGHT

348.9771, and 348.9781, is repealed.

Section 3. This act shall take effect upon becoming law.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: bill drafting - santa rosa Bridge Authority
Date: Wednesday, December 1, 2021 3:57:24 PM
Attachments: 2022 SRBBA.docx

Please put in bill drafting.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to transportation, transferring control of the Santa Rosa Bay Bridge Authority system to the Florida Department of Transportation; transferring all assets, rights, powers, duties, and bond liabilities of the authority to the department; transferring all provisions that protect the rights of certain bondholders from the authority to the department; authorizing the use of department funds to acquire, redeem, defease or refinance outstanding bonds of the authority; authorizing transfer of the bridge system to Florida's Turnpike Enterprise; authorizing the use of turnpike revenues and issuance of turnpike revenue bonds to acquire, redeem, defease or refinance outstanding bonds of the authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Santa Rosa Bay Bridge Authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Transfer to the Florida Department of Transportation.— The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. All powers of the authority shall succeed to the department, and the operations and maintenance of the bridge system shall be under the control of the department, pursuant to this section. The department also assumes all liability for bonds of the bridge authority pursuant to the provisions of subsection (2). The

AMERICAN OVERSIGHT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

FL_GOV_22-0226_20-0378A-001277

department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations that are determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided for the protection of the holders of the Santa Rosa Bay Bridge Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department or pledge department revenues to payment of the bonds. Revenues that are generated by the bridge system and other facilities of the authority and that were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than revenues of the bridge system.

AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to section 11(f), Art. VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance or refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section shall be in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275. This section shall not be construed as repealing any of the provisions of any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law, ss. 338.22-338.241; but shall supersede such other law or laws as are inconsistent with the provisions of this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761,

AMERICAN OVERSIGHT

348.9771, and 348.9781, is repealed.

Section 3. This act shall take effect upon becoming law.

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Shays, Tonya
Subject: 5-01289-22
Date: Sunday, January 2, 2022 3:05:52 PM
Attachments: Defamation Bill Text 12.28.2021.docx

Can you replace with this version of the bill with the attached language….our attorneys worked on additional language…thank you.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to defamation; providing legislative findings; creating ss. 770.09, 770.10, 770.11, 770.12, 770.13, F.S.; amending 768.295(4), F.S.; providing for severability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Legislature finds that:

(1) Defamation is and should be purely a matter of state law.

(2) *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), and its progeny have federalized major aspects of defamation law, notwithstanding the U.S. Supreme Court's pre-1964 precedents and historical understanding to the contrary, and foreclosed many meritorious defamation claims to the detriment of citizens of all walks of life.

(3) The federalization of defamation law, including the judicially created actual malice standard, bears no relation to the text, structure, or history of the First Amendment to the U.S. Constitution.

(4) The federalization of defamation law fails to acknowledge that defamatory falsehoods are equally injurious to plaintiffs regardless of whether they are public officials, public figures, or private figures, and regardless of whether the alleged defamatory falsehoods relate to matters of official conduct or of public or private concern.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001283

(5) The federalization of defamation law interferes with the ability of the states to update their defamation laws in response to societal changes, including the widespread proliferation of defamatory falsehoods via new technologies and the ever-diminishing investigation and reporting standards of publishers.

(6) The federalization of defamation law has further fostered an environment in which defamatory falsehoods are routinely published without fear of consequence, but truthful speech is often self-censored for fear of being tarnished without an adequate remedy at law.

(7) The U.S. Supreme Court should therefore reassess its post-1964 understanding of defamation law and, consistent with our nation's system of federalism, return to the states the authority to protect their citizens from defamatory falsehoods and the ability to make their own policy judgments regarding the prevention of defamation.

(8) But even under current U.S. Supreme Court precedent, states like Florida retain a measure of flexibility to continue to formulate their own defamation laws in response to societal changes.

(9) Today, defamatory statements are regularly published to widespread audiences via the internet and social media platforms.

(10) Defamatory statements are also regularly published without investigation, fact-checking, or editing.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

(11) Publishers of defamatory statements regularly rely on anonymous sources, which they know or should know are inherently untrustworthy.

(12) The state has an important interest in protecting its citizens from injurious defamatory statements.

Section 2. Section 770.05, Florida Statutes, is amended to read:

(1) No person shall have more than one choice of venue for damages for libel or slander, invasion of privacy, or any other tort founded upon any single publication, exhibition, or utterance, such as any one edition of a newspaper, book, or magazine, any one presentation to an audience, any one broadcast over radio or television, or any one exhibition of a motion picture. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions.

(2) Notwithstanding any other provision of this chapter, or any other statute providing for venue, when damages for defamation, including libel or slander, are based on material published through the radio, television, or internet, venue is proper in any county where the material was accessed.

Section 3. Section 770.08, Florida Statutes, is amended to read:

Except as provided in s. 770.05(2), no ~~No~~ person shall have more than one choice of venue for damages for libel founded upon a single publication or exhibition or utterance, as described in s. 770.05.~~, and~~ Upon ~~upon~~ his or her election in any one of his or her choices of venue, ~~then~~ the person shall be bound to recover there all damages allowed him or her.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001285

Section 4. Section 770.09, Florida Statutes, is created to read:

Application of costs and attorney's fees in defamation cases.- The fee-shifting provisions of s. 768.79 do not apply to defamation claims, including claims for libel or slander. Notwithstanding any other provision of law, a prevailing plaintiff on a claim of defamation, including libel or slander, is entitled to an award of reasonable costs and attorney's fees.

Section 5. Section 770.10, Florida Statutes, is created to read:

Limitations on judicial determination of a public figure.- A person may not be considered a "public figure" for purposes of establishing a claim of defamation, including libel or slander, if his or her fame or notoriety arises solely from one or more of the following:

(a) Defending him- or herself publicly against accusations.

(b) Granting an interview on a specific topic.

(c) Public employment other than elected office or appointment by an elected official.

(d) A video, image, or statement uploaded on the internet that has reached a broad audience.

Section 6. Section 770.11, Florida Statutes, is created to read:

Use of defamatory statements.- A failure to validate or corroborate the alleged defamatory statement is evidence of actual malice.

Section 7. Section 770.12, Florida Statutes, is created to read:

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001286

Presumption regarding anonymous sources.- Statements by anonymous sources are presumed to be false in a defamation cause of action.

Section 8. Section 768.295(4), Florida Statutes, is amended to read:

(4) A person or entity sued by a governmental entity or another person in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A person or entity may move the court for an order dismissing the action or granting final judgment in favor of that person or entity. The person or entity may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the claimant's or governmental entity's lawsuit has been brought in violation of this section. The claimant or governmental entity shall thereafter file a response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the motion, which shall be held at the earliest possible time after the filing of the claimant's or governmental entity's response. The court may award, subject to the limitations in s. 768.28, the party sued by a governmental entity actual damages arising from a governmental entity's violation of this section. The court shall award the ~~prevailing~~ non-moving party reasonable attorney fees and costs incurred in connection with a claim that an action was filed in violation of this section if the non-moving party prevails on a motion filed under this section.

Section 9. Section 720.304(4)(c), Florida Statutes is amended to read:

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001287

(c) A parcel owner sued by a governmental entity, business organization, or individual in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A parcel owner may petition the court for an order dismissing the action or granting final judgment in favor of that parcel owner. The petitioner may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the governmental entity's, business organization's, or individual's lawsuit has been brought in violation of this section. The governmental entity, business organization, or individual shall thereafter file its response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the petitioner's motion, which shall be held at the earliest possible time after the filing of the governmental entity's, business organization's or individual's response. The court may award the parcel owner sued by the governmental entity, business organization, or individual actual damages arising from the governmental entity's, individual's, or business organization's violation of this section. A court may treble the damages awarded to a prevailing parcel owner and shall state the basis for the treble damages award in its judgment. The court shall award the ~~prevailing~~ non-moving party reasonable attorney's fees and costs incurred in connection with a claim that an action was filed in violation of this section if the non-moving party prevails on a motion filed under this section.

Section 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, the

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001288

invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 11. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001289

From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: 5-01289-22
Date: Sunday, January 2, 2022 3:05:52 PM
Attachments: Defamation Bill Text 12.28.2021.docx

Can you replace with this version of the bill with the attached language….our attorneys worked on additional language…thank you.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to defamation; providing legislative findings; creating ss. 770.09, 770.10, 770.11, 770.12, 770.13, F.S.; amending 768.295(4), F.S.; providing for severability; providing an effective date.

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(2) *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), and its progeny have federalized major aspects of defamation law, notwithstanding the U.S. Supreme Court's pre-1964 precedents and historical understanding to the contrary, and foreclosed many meritorious defamation claims to the detriment of citizens of all walks of life.

(3) The federalization of defamation law, including the judicially created actual malice standard, bears no relation to the text, structure, or history of the First Amendment to the U.S. Constitution.

(4) The federalization of defamation law fails to acknowledge that defamatory falsehoods are equally injurious to plaintiffs regardless of whether they are public officials, public figures, or private figures, and regardless of whether the alleged defamatory falsehoods relate to matters of official conduct or of public or private concern.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001291

(5) The federalization of defamation law interferes with the ability of the states to update their defamation laws in response to societal changes, including the widespread proliferation of defamatory falsehoods via new technologies and the ever-diminishing investigation and reporting standards of publishers.

(6) The federalization of defamation law has further fostered an environment in which defamatory falsehoods are routinely published without fear of consequence, but truthful speech is often self-censored for fear of being tarnished without an adequate remedy at law.

(7) The U.S. Supreme Court should therefore reassess its post-1964 understanding of defamation law and, consistent with our nation's system of federalism, return to the states the authority to protect their citizens from defamatory falsehoods and the ability to make their own policy judgments regarding the prevention of defamation.

(8) But even under current U.S. Supreme Court precedent, states like Florida retain a measure of flexibility to continue to formulate their own defamation laws in response to societal changes.

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CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

(11) Publishers of defamatory statements regularly rely on anonymous sources, which they know or should know are inherently untrustworthy.

(12) The state has an important interest in protecting its citizens from injurious defamatory statements.

Section 2. Section 770.05, Florida Statutes, is amended to read:

(1) No person shall have more than one choice of venue for damages for libel or slander, invasion of privacy, or any other tort founded upon any single publication, exhibition, or utterance, such as any one edition of a newspaper, book, or magazine, any one presentation to an audience, any one broadcast over radio or television, or any one exhibition of a motion picture. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions.

(2) Notwithstanding any other provision of this chapter, or any other statute providing for venue, when damages for defamation, including libel or slander, are based on material published through the radio, television, or internet, venue is proper in any county where the material was accessed.

Section 3. Section 770.08, Florida Statutes, is amended to read:

Except as provided in s. 770.05(2), no ~~No~~ person shall have more than one choice of venue for damages for libel founded upon a single publication or exhibition or utterance, as described in s. 770.05.~~, and~~ Upon ~~upon~~ his or her election in any one of his or her choices of venue, ~~then~~ the person shall be bound to recover there all damages allowed him or her.

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FL-GOV-22-0226, 20-0378-A-001293

Section 4. Section 770.09, Florida Statutes, is created to read:

Application of costs and attorney's fees in defamation cases.- The fee-shifting provisions of s. 768.79 do not apply to defamation claims, including claims for libel or slander. Notwithstanding any other provision of law, a prevailing plaintiff on a claim of defamation, including libel or slander, is entitled to an award of reasonable costs and attorney's fees.

Section 5. Section 770.10, Florida Statutes, is created to read:

Limitations on judicial determination of a public figure.- A person may not be considered a "public figure" for purposes of establishing a claim of defamation, including libel or slander, if his or her fame or notoriety arises solely from one or more of the following:

(a) Defending him- or herself publicly against accusations.

(b) Granting an interview on a specific topic.

(c) Public employment other than elected office or appointment by an elected official.

(d) A video, image, or statement uploaded on the internet that has reached a broad audience.

Section 6. Section 770.11, Florida Statutes, is created to read:

Use of defamatory statements.- A failure to validate or corroborate the alleged defamatory statement is evidence of actual malice.

Section 7. Section 770.12, Florida Statutes, is created to read:

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FL-GOV-22-0226, 20-0378-A-001294

Presumption regarding anonymous sources.- Statements by anonymous sources are presumed to be false in a defamation cause of action.

Section 8. Section 768.295(4), Florida Statutes, is amended to read:

(4) A person or entity sued by a governmental entity or another person in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A person or entity may move the court for an order dismissing the action or granting final judgment in favor of that person or entity. The person or entity may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the claimant's or governmental entity's lawsuit has been brought in violation of this section. The claimant or governmental entity shall thereafter file a response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the motion, which shall be held at the earliest possible time after the filing of the claimant's or governmental entity's response. The court may award, subject to the limitations in s. 768.28, the party sued by a governmental entity actual damages arising from a governmental entity's violation of this section. The court shall award the ~~prevailing~~ non-moving party reasonable attorney fees and costs incurred in connection with a claim that an action was filed in violation of this section if the non-moving party prevails on a motion filed under this section.

Section 9. Section 720.304(4)(c), Florida Statutes is amended to read:

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FL-GOV-22-0226, 20-0378-A-001295

(c) A parcel owner sued by a governmental entity, business organization, or individual in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A parcel owner may petition the court for an order dismissing the action or granting final judgment in favor of that parcel owner. The petitioner may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the governmental entity's, business organization's, or individual's lawsuit has been brought in violation of this section. The governmental entity, business organization, or individual shall thereafter file its response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the petitioner's motion, which shall be held at the earliest possible time after the filing of the governmental entity's, business organization's or individual's response. The court may award the parcel owner sued by the governmental entity, business organization, or individual actual damages arising from the governmental entity's, individual's, or business organization's violation of this section. A court may treble the damages awarded to a prevailing parcel owner and shall state the basis for the treble damages award in its judgment. The court shall award the ~~prevailing~~ non-moving party reasonable attorney's fees and costs incurred in connection with a claim that an action was filed in violation of this section if the non-moving party prevails on a motion filed under this section.

Section 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, the

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FL-GOV-22-0226, 20-0378-A-001296

invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 11. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001297

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Dowd, Cory
Subject: 5-01423-22 DRAFT
Date: Friday, December 17, 2021 3:33:11 PM
Attachments: 5-01423-22 DOAH attorney fees (RT edits).docx

We have a few edits to the draft…they are in track changes attached.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Dowd, Cory
Subject:	5-01423-22 DRAFT
Date:	Friday, December 17, 2021 3:33:11 PM
Attachments:	5-01423-22 DOAH attorney fees (RT edits).docx

We have a few edits to the draft…they are in track changes attached.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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FL-GOV-22-0226_20-0378A-001303

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-001305

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Dowd, Cory
Subject: 5-01423-22 DRAFT
Date: Friday, December 17, 2021 3:33:19 PM
Attachments: 5-01423-22 DOAH attorney fees (RT edits).docx

We have a few edits to the draft…they are in track changes attached.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

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Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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FL-GOV-22-0226_20-0378A-001307

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting DOAH attorneys fees
Date: Wednesday, December 1, 2021 9:47:48 AM
Attachments: DOAH Attorneys Fees.docx

Can you put this in bill drafting?
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney's fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). No award of attorney's fees as provided by this subsection shall exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney's fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). No award of attorney's fees as provided by this subsection shall exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

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(a) If the appellate court or administrative law judge determines that all or part of an agency statement violates s. 120.54(1)(a), or that the agency must immediately discontinue reliance on the statement and any substantially similar statement pursuant to s. 120.56(4)(f), a judgment or order shall be entered against the agency for reasonable costs and reasonable attorney's fees, unless the agency demonstrates that the statement is required by the Federal Government to implement or retain a delegated or approved program or to meet a condition to receipt of federal funds.

(b) Upon notification to the administrative law judge provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney's fees accrued by the petitioner prior to the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorneys' fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney's fees as provided by this paragraph may not exceed $50,000 **against any party or against the agency, even when multiple proceedings are consolidated and multiple parties are entitled to fees against the same non-prevailing party or agency**.

(c) Notwithstanding the provisions of chapter 284, an award shall be paid from the budget entity of the secretary, executive director, or equivalent administrative officer of the agency, and the agency shall not be entitled to payment of an award or reimbursement for payment of an award under any provision of law.

(d) If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and attorney's fees against a party if the appellate court or administrative law judge determines that the party participated in the proceedings for an improper purpose as defined in paragraph (1)(e) or that the party or the party's attorney knew or should have known that a claim was not

AMERICAN OVERSIGHT

supported by the material facts necessary to establish the claim or would not be supported by the application of then-existing law to those material facts.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Subject:	Bill Drafting
Date:	Wednesday, December 1, 2021 11:31:59 AM
Attachments:	School Board Accountability - AB.docx

I know yall are about to kill me……can you please please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to School Board Accountability; repealing s. 1001.395, F.S., relating to district school board members compensation; amending s. 1001.39, F.S., conforming cross-references; amending s. 1001.43, F.S., conforming provisions to changes made by the act; amending s. 1008.32, F.S., specifying consequences of certain non-compliance; providing civil remedies for parents; providing the State Board of Education enforcement authority; providing employees certain protections and remedies; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.395, Florida Statutes, is repealed.

Section 2. Subsection (1) of section 1001.39, Florida Statutes is amended to read:

1001.39 District school board members; travel expenses.-

(1) ~~In addition to the salary provided in s. 1001.395, each~~ Each member of a district school board shall be allowed, from the district school fund, reimbursement of travel expenses as authorized in s. 112.061, provided that any travel outside the district that exceeds $500 requires prior approval by the district school board to confirm that such travel is for official business of the school district and complies with rules of the State Board of Education. Any request for travel outside the state must include an itemized list detailing all

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FL-GOV-22-0226, 20-0378-A-001315

anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 3. Subsection (10) of section 1001.43, Florida Statutes is amended to read:

1001.43 Supplemental powers and duties of district school board.-

(10) DISTRICT SCHOOL BOARD GOVERNANCE AND OPERATIONS.—The district school board may adopt policies and procedures necessary for the daily business operation of the district school board, including, but not limited to, the provision of legal services for the district school board; conducting a district legislative program; district school board member participation at conferences, conventions, and workshops, including ~~member compensation and~~ reimbursement for expenses; district school board policy development, adoption, and repeal; district school board meeting procedures, including participation via telecommunications networks, use of technology at meetings, and presentations by nondistrict personnel; citizen communications with the district school board and with individual district school board members; collaboration with local government and other entities as required by law; and organization of the district school board, including special committees and advisory committees. Members of special committees and advisory committees may attend meetings in person or through the use of telecommunications networks such as telephonic and video conferencing.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001316

Section 4. Subsection (5) of section 1008.32, Florida Statutes, is amended, and subsections (6), (7), (8), and (9) are added to read:

State Board of Education oversight enforcement authority.-

(5) Nothing in this section shall be construed to create a private cause of action, except as prescribed in law, or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

(6) The Legislature finds that school districts' willful, knowing, or repeated violations of and nonenforcement of laws in place to protect the health, safety, and welfare of a student, or ability to witness and discuss official acts in an open meeting may constitute misfeasance or malfeasance in office under Article IV, Section 7 of the Florida Constitution. An elected or appointed district school official must prove by a preponderance of the evidence that the action taken is reasonable and necessary to achieve a compelling state interest, is narrowly tailored, and cannot be achieved by less restrictive means. Violations or nonenforcement of the following sections may result in misfeasance or malfeasance as provided in this subsection:

(a) School safety protocols in Chapter 1006, including the protection of students who are the victims of bullying, harassment and abuse;

(b) The Parents' Bill of Rights in Chapter 1014; or

(c) Public meetings and records in Chapter 286.

(7) For purposes of violations of paragraph (6), a plaintiff may bring a civil action against a defendant in any

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FL-GOV-22-0226, 20-0378-A-001317

court of competent jurisdiction to enforce his or her rights under chapters 286, 1006 or 1014 by injunctive or declaratory relief.

(a) "Defendant" means a school district including the superintendent and school board members.

(b) "Plaintiff" means a parent or guardian, as defined in s. 1014.02(2), of a child who attends a school or program operated by a defendant.

(c) In an action brought by a plaintiff, the plaintiff must prove based on a preponderance of evidence that the defendant infringed on the fundamental rights under chapters 286, 1006 or 1014, including infringements through school district staff, policy or practice that intentionally orchestrate a scheme to undermine the fundamental rights under chapters 286, 1006 or 1014.

(d) The defendant may assert as an affirmative defense, and bears the burden of proving such by a preponderance of the evidence, that its action is reasonable and necessary to achieve a compelling state interest, is narrowly tailored, and cannot be achieved by less restrictive means.

(e) A plaintiff who prevails in an action under this section is entitled to recover the costs of the action and reasonable attorney fees assessed against the defendant of up to $100,000.

(8) A final judgment entered by a court of competent jurisdiction against a defendant listed in this section is further enforceable by the State Board of Education under the provisions of this section.

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(a) Where a court has granted injunctive relief in favor of the plaintiff, the court or State Board of Education are authorized to impose a fine of up to $1,000 each day for continuing noncompliance after the injunction is entered.

(b) The State Board of Education may require the defendants to pay for statutory damages by certain federal, state or local funds.

(9) If a person employed as a member of the instructional staff in any district school system is disciplined or has other adverse action taken against them by the school district, in accordance with ss. 1012.33 and 1012.335, and it is determined that the employee was upholding the fundamental rights under chapters 286, 1006 or 1014, that employee is entitled to recover the costs of the action and reasonable attorney fees against the school district of up to $100,000.

Section 5. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001319

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting... Campaign Finance
Date: Wednesday, December 1, 2021 3:59:26 PM
Attachments: Initiative Contributions2.docx

One more for bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to campaign financing; amending 106.08, F.S.; specifying entities subject to the limitation on contributions to a political committee that is the sponsor of a constitutional amendment proposed by initiative; deleting the limitation on contributions to a political committee that in opposition to a constitutional amendment proposed by initiative; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in the State of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of Section 106.08, Florida Statutes, is amended, and subsection (12) is added, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, applies no person or political committee may, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court ~~or~~, $3,000.

2. ~~t~~To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of the State of Florida, or by political committees that have not registered an office pursuant to this

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FL-GOV-22-0226, 20-0378-A-001321

chapter using a street address located within the State of Florida. However, the limitation on contributions to such political committees no longer applies once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

~~2~~3. To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within the State of Florida.

(b) A candidate, candidate committee, political party, political committee, or any other person may not solicit, accept, or receive, directly or indirectly, such a contribution from a foreign national.

(c) For purposes of this section, "foreign national" is defined as:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under

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the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States for permanent residence.

Section 2. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001323

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	Bill Drafting... Campaign Finance
Date:	Wednesday, December 1, 2021 3:59:23 PM
Attachments:	Initiative Contributions2.docx

One more for bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to campaign financing; amending 106.08, F.S.; specifying entities subject to the limitation on contributions to a political committee that is the sponsor of a constitutional amendment proposed by initiative; deleting the limitation on contributions to a political committee that in opposition to a constitutional amendment proposed by initiative; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in the State of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of Section 106.08, Florida Statutes, is amended, and subsection (12) is added, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, applies no person or political committee may, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court ~~or~~, $3,000.

2. ~~t~~To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of the State of Florida, or by political committees that have not registered an office pursuant to this

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FL-GOV-22-0226, 20-0378-A-001325

chapter using a street address located within the State of Florida. However, the limitation on contributions to such political committees no longer applies once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

~~2~~3. To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within the State of Florida.

(b) A candidate, candidate committee, political party, political committee, or any other person may not solicit, accept, or receive, directly or indirectly, such a contribution from a foreign national.

(c) For purposes of this section, "foreign national" is defined as:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under

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the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States for permanent residence.

Section 2. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001327

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting... Campaign Finance
Date: Wednesday, December 1, 2021 3:59:28 PM
Attachments: Initiative Contributions2.docx

One more for bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to campaign financing; amending 106.08, F.S.; specifying entities subject to the limitation on contributions to a political committee that is the sponsor of a constitutional amendment proposed by initiative; deleting the limitation on contributions to a political committee that in opposition to a constitutional amendment proposed by initiative; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in the State of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of Section 106.08, Florida Statutes, is amended, and subsection (12) is added, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, applies no person or political committee may, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court ~~or~~, $3,000.

2. ~~t~~To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of the State of Florida, or by political committees that have not registered an office pursuant to this

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FL-GOV-22-0226, 20-0378-A-001329

chapter using a street address located within the State of Florida. However, the limitation on contributions to such political committees no longer applies once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

~~2~~3. To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within the State of Florida.

(b) A candidate, candidate committee, political party, political committee, or any other person may not solicit, accept, or receive, directly or indirectly, such a contribution from a foreign national.

(c) For purposes of this section, "foreign national" is defined as:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under

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FL-GOV-22-0226, 20-0378-A-001330

the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States for permanent residence.

Section 2. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001331

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting....CRT
Date: Wednesday, December 1, 2021 1:31:47 PM
Attachments: CRT.12.1.21.docx

Sorry….another one

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

An Act related to sexual and racial discrimination

This act shall be referred to as The Correcting Wrongs against Our Kids and Employees Act of 2022.

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as constructed, shall be viewed as knowable, teachable, and testable, and shall be defined as the creation of a new nation based largely on the universal principles stated in the Declaration of Independence.

(g)1. The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism, as described in s. 1000.05(7), and the prevention of anti-Semitism. Each school district must annually certify and provide evidence to the department, in a

AMERICAN OVERSIGHT

manner prescribed by the department, that the requirements of this paragraph are met. The department shall prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's Task Force on Holocaust Education or from any state or nationally recognized Holocaust educational organizations. The department may contract with any state or nationally recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

2. The second week in November shall be designated as "Holocaust Education Week" in this state in recognition that November is the anniversary of Kristallnacht, widely recognized as a precipitating event that led to the Holocaust.

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall include the contributions of African Americans to American society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.

(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n)1. Comprehensive age-appropriate and developmentally appropriate K-12 health education that addresses concepts of community health, consumer health, environmental health, and family life, including:

a. Mental and emotional health.

b. Injury prevention and safety.

c. Internet safety.

d. Nutrition.

e. Personal health.

f. Prevention and control of disease.

g. Substance use and abuse.

h. Prevention of child sexual abuse, exploitation, and human trafficking.

2. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

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3. The health education curriculum for students in grades 6 through 12 shall include an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United States.

(r) The nature and importance of free enterprise to the United States economy.

(s) A character development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character development program that shall be submitted to the department for approval.

1. The character development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.

2. The character development curriculum for grades 9 through 12 shall, at a minimum, include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume, including a digital resume; exploring career pathways; using state career planning resources; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

3. The character development curriculum for grades 11 and 12 shall include instruction on voting using the uniform primary and general election ballot described in s. 101.151(9).

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

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~~(3) Instruction on the required topics must be factual and objective, and may not suppress or distort significant historical events, such as the Holocaust, slavery, the Civil War and Reconstruction, the civil rights movement and the contributions of women, African American and Hispanic people to our country, as already provided in this section. Examples of theories that distort historical events and are inconsistent with State Board approved standards include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory. Instruction may not utilize material that defines American history as something other than the creation of a new nation based largely on universal principles stated in the Declaration of Independence. Instruction must include the U.S. Constitution, the Bill of Rights and subsequent amendments.~~

(34) ~~Efficient and faithful teaching further means that any discussion~~ Public school employees are prohibited from:

(a) providing classroom instruction that is not appropriate for the age and maturity level of the students as determined by state education standards;~~, and teachers serve as facilitators for student discussion,~~

(b) ~~do not~~ compelling students, through grades, rewards, inducements, penalties, punishment, or other means, to engage in political or social activism or advocacy;~~,~~ and

(c) ~~do not share their personal views or~~ attempting to indoctrinate or persuade students to a particular point of view that is inconsistent with state education standards.

(~~45~~) The following concepts shall not be taught in the public schools:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex;

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(i) racism or sexism is the only explanation for observed disparities among racial groups or the sexes; and

(j) the United States or the State of Florida is fundamentally or irredeemably racist or sexist.

~~Prohibited forms of Critical Race Theory instruction and similar historical distortions and unlawful attempts to indoctrinate include, but are not limited to, instruction that teaches:~~

~~(a) Racism is ordinary, ubiquitous, and "endemic" to American life;~~

~~(b) Racism explains all observed disparities among contemporary racial groups;~~

~~(c) Cultural norms such as "legal neutrality, objectivity, color-blindness, and meritocracy" perpetuate inequality and group dominance; and thus "race liberalism" must be rejected in favor of "race consciousness";~~

~~(d) An "insistence on subjectivity" because true insight into the real operation of American life is gained through the "lived experience" of racism by "people of color";~~

~~(e) White people are necessarily complicit in racism by way of their adherence to, and benefit from, dominant cultural norms that invest them with sociopolitical capital ("whiteness");~~

~~(f) The United States or the state of Florida is fundamentally or irredeemably racist or sexist;~~

~~(g) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;~~

~~(h) An individual, by virtue of sex, race, ethnicity, religion, color, or national origin, should be blamed for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin;~~

~~(i) An individual's moral character is necessarily determined, in whole or in part, by his or her sex, race, ethnicity, religion, color, or national origin; or~~

~~(j) Knowledge should be analyzed on the basis of whether it is oppressive or exploitative, and not on the basis of whether it is true.~~

(~~5~~6) Members of school district and public school leadership, subject to rules that the State Board of Education must adopt, shall adhere to frameworks for in-service educator professional development that the Florida Department of Education must establish to guide the efficient and faithful teaching of the required topics in this section and state education standards as adopted by the State Board of Education.

(~~6~~7) School districts and public charter schools must adopt policies and procedures to ensure that in-service educator professional development adheres to this section, the state education standards and rules adopted by the State Board of Education and Florida Department of Education frameworks.

(~~7~~8) Definitions:

(a) "Defendant" means a school district, a charter school governing board or charter school network board.

AMERICAN OVERSIGHT

(b) “Plaintiff” means a parent or guardian, as defined in s. 1014.02(2), of a child, or a student who has attained the age of majority, who attends a school or program operated by a defendant.

(~~8~~9) A plaintiff may bring a civil action against a defendant in any court of competent jurisdiction to enforce ~~this section~~ subsections (3) and (4) by injunctive or declaratory relief.

(a) In an action brought by a plaintiff ~~based upon an infringement of this section~~ under this subsection, the plaintiff must prove based on a preponderance of evidence that the defendant ~~infringed on this section~~ violated subsection (3) or (4) and failed to cure the ~~infringement~~ violation after notification by defendant or the Florida Department of Education.

(b) The court may award to the prevailing plaintiff the following remedies:

1. equitable relief;

2. costs and fees, including reasonable attorney fees assessed against the defendant up to $100,000; and

3. statutory damages in the amount of $10,000 per defendant.

(c) A final judgment entered by a court of competent jurisdiction against a party listed in in s. 1008.32 is enforceable by the State Board of Education under the provisions of s. 1008.32, if the defendant persistently fails to comply.

(10) The State Board of Education is hereby empowered, in conjunction and accordance with its enforcement powers under s. 1008.32, to fine, up to $1,000 per day, each school board member, charter school board member, charter school network board member, superintendent or principal for persistent violations of this section. Fines shall not be paid with monies allocated for school operations, teachers salaries or any other funds specified for the purpose of providing educational services. The State Board of Education, at its discretion, may issue such fines retroactively, back to the first date of the notification of ~~infringement~~ violation by the defendant or the Florida Department of Education.

(~~3~~11) Any student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment. A student so exempted may not be penalized by reason of that exemption. Course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum which reflects local values and concerns. Each school district shall, on the district’s website homepage, notify parents of this right and the process to request an exemption. The home page must include a link for a student’s parent to access and review the instructional materials, as defined in s. 1006.29(2), used to teach the curriculum.

760.10 Unlawful employment practices.—

(1) It is an unlawful employment practice for an employer:

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(a) To discharge or to fail or refuse to hire any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities, or adversely affect any individual's status as an employee, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To subject any individual to workplace training that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(vii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(2) It is an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status or to classify or refer for employment any individual on the basis of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(3) It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(b) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive

AMERICAN OVERSIGHT

any individual of employment opportunities, or adversely affect any individual's status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

(c) To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) To subject any individual to training, as a condition of membership, that includes the following concepts:

(i) one race or sex is morally superior to another race or sex;

(ii) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(vi) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(viii) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(4) It is an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status in admission to, or employment in, any program established to provide apprenticeship or other training. It shall constitute discrimination under this subsection to subject any individual to training that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

AMERICAN OVERSIGHT

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

(f) an individual, by virtue of his or her race or sex, should be discriminated against or receive adverse treatment in order to achieve diversity, equity, or inclusion;

(g) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; and

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(5) Whenever, in order to engage in a profession, occupation, or trade, it is required that a person receive a license, certification, or other credential, become a member or an associate of any club, association, or other organization, or pass any examination, it is an unlawful employment practice for any person to discriminate against any other person seeking such license, certification, or other credential, seeking to become a member or associate of such club, association, or other organization, or seeking to take or pass such examination, because of such other person's race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. It shall constitute discrimination under this subsection to subject any individual to training or education that includes the following concepts:

(a) one race or sex is morally superior to another race or sex;

(b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) an individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race or sex;

(d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(e) an individual, by virtue of his or her race or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race or sex;

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AMERICAN OVERSIGHT

(h) such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and color-blindness are racist or sexist, or were created by a particular race or sex to oppress another race or sex.

(6) It is an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee to print, or cause to be printed or published, any notice or advertisement relating to employment, membership, classification, referral for employment, or apprenticeship or other training, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, pregnancy, national origin, age, absence of handicap, or marital status.

(7) It is an unlawful employment practice for an employer, an employment agency, a joint labor-management committee, or a labor organization to discriminate against any person because that person has opposed any practice which is an unlawful employment practice under this section, or because that person has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section.

(8) Notwithstanding any other provision of this section, it is not an unlawful employment practice under ss. 760.01-760.10 for an employer, employment agency, labor organization, or joint labor-management committee to:

(a) Take or fail to take any action on the basis of religion, sex, pregnancy, national origin, age, handicap, or marital status in those certain instances in which religion, sex, condition of pregnancy, national origin, age, absence of a particular handicap, or marital status is a bona fide occupational qualification reasonably necessary for the performance of the particular employment to which such action or inaction is related.

(b) Observe the terms of a bona fide seniority system, a bona fide employee benefit plan such as a retirement, pension, or insurance plan, or a system which measures earnings by quantity or quality of production, which is not designed, intended, or used to evade the purposes of ss. 760.01-760.10. However, no such employee benefit plan or system which measures earnings shall excuse the failure to hire, and no such seniority system, employee benefit plan, or system which measures earnings shall excuse the involuntary retirement of, any individual on the basis of any factor not related to the ability of such individual to perform the particular employment for which such individual has applied or in which such individual is engaged. This subsection shall not be construed to make unlawful the rejection or termination of employment when the individual applicant or employee has failed to meet bona fide requirements for the job or position sought or held or to require any changes in any bona fide retirement or pension programs or existing collective bargaining agreements during the life of the contract, or for 2 years after October 1, 1981, whichever occurs first, nor shall this act preclude such physical and medical examinations of applicants and employees as an employer may require of applicants and employees to determine fitness for the job or position sought or held.

AMERICAN OVERSIGHT

(c) Take or fail to take any action on the basis of age, pursuant to law or regulation governing any employment or training program designed to benefit persons of a particular age group.

(d) Take or fail to take any action on the basis of marital status if that status is prohibited under its antinepotism policy.

(9) This section shall not apply to any religious corporation, association, educational institution, or society which conditions opportunities in the area of employment or public accommodation to members of that religious corporation, association, educational institution, or society or to persons who subscribe to its tenets or beliefs. This section shall not prohibit a religious corporation, association, educational institution, or society from giving preference in employment to individuals of a particular religion to perform work connected with the carrying on by such corporations, associations, educational institutions, or societies of its various activities.

(10) Each employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice provided by the commission setting forth such information as the commission deems appropriate to effectuate the purposes of ss. 760.01-760.10.

History.—s. 6, ch. 77-341; s. 2, ch. 78-49; s. 5, ch. 79-400; s. 1, ch. 81-109; s. 7, ch. 92-177; ss. 2, 4, ch. 92-282; s. 6, ch. 2015-68.

Note.—Former ss. 13.261, 23.167.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting...FHSAA
Date: Wednesday, December 1, 2021 11:20:49 AM
Attachments: FHSAA - final.docx

Can you please put this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

1006.20 Athletics in public K-12 schools.—

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(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws shall also allow the student to be immediately eligible in the school to which the student has transferred. The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the FHSAA’s bylaws.

AMERICAN OVERSIGHT

Requirements governing eligibility and transfer between member schools shall be applied similarly to public school students and private school students. The FHSAA' bylaws shall be reviewed for approval at least once per year by the State Board of Education, upon the recommendation of the Commissioner. The Commissioner may direct the FHSAA to consider revisions to its bylaws at any time as necessary.

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(a) The executive and legislative authority of the FHSAA shall be vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 persons, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

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3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

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6. The commissioner or his or her designee from the department executive staff.

(b) A quorum of the board of directors shall consist of nine members.

(c) The board of directors shall elect a president and a vice president from among its members. These officers shall also serve as officers of the FHSAA.

(d) Members of the board of directors shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the board of directors, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

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1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

AMERICAN OVERSIGHT

2. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

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AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	Bill Drafting...FHSAA
Date:	Wednesday, December 1, 2021 11:20:45 AM
Attachments:	FHSAA - final.docx

Can you please put this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting...FHSAA
Date: Wednesday, December 1, 2021 11:20:51 AM
Attachments: FHSAA - final.docx

Can you please put this in bill drafting?

Stephanie Kopelousos
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting...Gaming
Date: Wednesday, December 1, 2021 4:07:26 PM
Attachments: Language - FGCC.doc

Last One……
Thank you for everything.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

Section XX. Subsection (6) is created and added to section 16.71, Florida Statutes, to read:

16.71 Florida Gaming Control Commission; creation; meetings; membership; authority prior to July 1, 2022.—

(1) CREATION; MEETINGS.—

(a) There is created within the Department of Legal Affairs, Office of the Attorney General, the Florida Gaming Control Commission, hereinafter referred to as the commission. The commission shall be a separate budget entity, and the commissioners shall serve as the agency head. The commission's exercise of executive powers in the area of planning, budgeting, personnel management, and purchasing shall be as provided by law.

(b) The commission is not subject to control, supervision, or direction by the Department of Legal Affairs or the Attorney General in the performance of its duties, including, but not limited to, personnel, purchasing transactions involving real or personal property, and budgetary matters.

(c) The commission shall convene at the call of its chair or at the request of a majority of the members of the commission. Meetings may be held via teleconference or other electronic means. Three members of the commission constitute a quorum, and the affirmative vote

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of the majority of a quorum is required for any action or recommendation by the commission. However, notwithstanding any other provision of law, the affirmative vote of three members is required to adopt a proposed rule, including an amendment to or repeal of an existing rule that meets or exceeds any of the criteria in s. 120.54(3)(b)1. or s. 120.541(2)(a). The commission may meet in any city or county of the state.

(2) MEMBERSHIP.—

(a) The commission shall consist of five members appointed by the Governor, and subject to confirmation by the Senate, for terms of 4 years. Members of the commission must be appointed by January 1, 2022. The Governor shall consider appointees who reflect Florida's racial, ethnic, and gender diversity. Of the initial five members appointed by the Governor, and immediately upon appointment, the Governor shall appoint one of the members as the initial chair and one of the members as the initial vice chair. At the end of the initial chair's and vice chair's terms pursuant to subparagraph 1., the commission shall elect one of the members of the commission as chair and one of the members of the commission as vice chair.

1. For the purpose of providing staggered terms, of the initial appointments, two members shall be appointed to

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4-year terms, two members shall be appointed to 3-year terms, and one member shall be appointed to a 2-year term.

2. Of the five members, at least one member must have at least 10 years of experience in law enforcement and criminal investigations, at least one member must be a certified public accountant licensed in this state with at least 10 years of experience in accounting and auditing, and at least one member must be an attorney admitted and authorized to practice law in this state for at least the preceding 10 years.

3. Of the five members, each appellate district shall have one member appointed from the district to the commission who is a resident of the district at the time of the original appointment.

(b) A commissioner shall serve until a successor is appointed, but commissioners may not serve more than 12 years. Vacancies shall be filled for the unexpired portion of the term. The salary of each commissioner is equal to that paid under state law to a commissioner on the Florida Public Service Commission.

(c) The Governor shall have the same power to remove or suspend commissioners as set forth in s. 7, Art. IV of the State Constitution. In addition to such power, the Governor must remove a member who is convicted of or

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found guilty of or has pled nolo contendere to, regardless of adjudication, in any jurisdiction, a misdemeanor that directly relates to gambling, dishonesty, theft, or fraud.

(d) Upon the resignation or removal from office of a member of the commission, the Governor shall appoint a successor pursuant to paragraph (a) who, subject to confirmation by the Senate, shall serve the remainder of the unfinished term.

(3) REQUIREMENTS FOR APPOINTMENT; PROHIBITIONS.—

(a) A person may not be appointed by the Governor to the commission until a level 2 background screening pursuant to chapter 435 is performed, the results are forwarded to the Governor, and the Governor determines that the person meets all the requirements for appointment under this section. However, a person who is prohibited from being appointed under s. 16.713 may not be appointed by the Governor.

(b) The Governor may not solicit or request any nominations, recommendations, or communications about potential candidates for appointment to the commission from:

1. Any person that holds a permit or license issued under chapter 550, or a license issued under chapter 551 or chapter 849; an officer, official, or employee of such

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permitholder or licensee; or an ultimate equitable owner, as defined in s. 550.002(37), of such permitholder or licensee;

2. Any officer, official, employee, or other person with duties or responsibilities relating to a gaming operation owned by an Indian tribe that has a valid and active compact with the state; a contractor or subcontractor of such tribe or an entity employed, licensed, or contracted by such tribe; or an ultimate equitable owner, as defined in s. 550.002(37), of such entity; or

3. Any registered lobbyist for the executive or legislative branch who represents any person or entity identified in subparagraph 1. or subparagraph 2.

(4) EXECUTIVE DIRECTOR.—

(a) To aid the commission in its duties, the commission must appoint a person who is not a member of the commission to serve as the executive director of the commission. A person may not be appointed as executive director until a level 2 background screening pursuant to chapter 435 is performed, the results are forwarded to the commission, and the commission determines that the person meets all the requirements for appointment as the executive director. The executive director shall supervise, direct, coordinate, and administer all activities necessary to fulfill the commission's

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responsibilities. The commission must appoint the executive director by April 1, 2022.

(b) The executive director, with the consent of the commission, shall employ such staff as are necessary to adequately perform the functions of the commission, within budgetary limitations.

(c) The executive director shall maintain headquarters in and reside in Leon County.

(d) The salary of the executive director is equal to that paid under state law to a commissioner on the Florida Public Service Commission.

(5) INSPECTOR GENERAL.— The chair of the commission shall appoint an inspector general who shall perform the duties of an inspector general under s. 20.055.

(6) AUTHORITY PRIOR TO JULY 1, 2022. — Notwithstanding the effective date of s. 16.712, the commission is authorized to do the following prior to July 1, 2022:

(a) adopt rules to implement s. 16.712;

(b) contract or consult with appropriate agencies of state government as may be needed in the discharge of its duties; and

(c) adopt rules as may be needed to comply with, and exercise the authority of the State racing commission as provided in, the federal Horseracing Integrity and Safety Act, 15 U.S.C. § 3051, et seq.

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Section XX. This act shall take effect upon becoming a law.

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting..Riot Definition
Date: Wednesday, December 1, 2021 4:02:02 PM
Attachments: Riot Definition.docx

Please put in the bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to riots; amending s. 870.01, F.S.; redefining riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she ~~willfully participates in a violent public disturbance involving~~ commits an act of violence as part of an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

Section 2. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	Bill Drafting..Riot Definition
Date:	Wednesday, December 1, 2021 4:01:57 PM
Attachments:	Riot Definition.docx

Please put in the bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to riots; amending s. 870.01, F.S.; redefining riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she ~~willfully participates in a violent public disturbance involving~~ commits an act of violence as part of an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

Section 2. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Bill Drafting..Riot Definition
Date: Wednesday, December 1, 2021 4:02:04 PM
Attachments: Riot Definition.docx

Please put in the bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to riots; amending s. 870.01, F.S.; redefining riot; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 870.01, Florida Statutes, is amended to read:

870.01 Affrays and riots.—

(2) A person commits a riot if he or she ~~willfully participates in a violent public disturbance involving~~ commits an act of violence as part of an assembly of three or more persons, acting with a common intent to assist each other in violent and disorderly conduct, resulting in:

(a) Injury to another person;

(b) Damage to property; or

(c) Imminent danger of injury to another person or damage to property.

Section 2. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001369

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Subject: Bill Drafting
Date: Wednesday, December 1, 2021 11:32:03 AM
Attachments: School Board Accountability - AB.docx

I know yall are about to kill me……can you please please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to School Board Accountability; repealing s. 1001.395, F.S., relating to district school board members compensation; amending s. 1001.39, F.S., conforming cross-references; amending s. 1001.43, F.S., conforming provisions to changes made by the act; amending s. 1008.32, F.S., specifying consequences of certain non-compliance; providing civil remedies for parents; providing the State Board of Education enforcement authority; providing employees certain protections and remedies; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.395, Florida Statutes, is repealed.

Section 2. Subsection (1) of section 1001.39, Florida Statutes is amended to read:

1001.39 District school board members; travel expenses.-

(1) ~~In addition to the salary provided in s. 1001.395, each~~ Each member of a district school board shall be allowed, from the district school fund, reimbursement of travel expenses as authorized in s. 112.061, provided that any travel outside the district that exceeds $500 requires prior approval by the district school board to confirm that such travel is for official business of the school district and complies with rules of the State Board of Education. Any request for travel outside the state must include an itemized list detailing all

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FL-GOV-22-0226, 20-0378-A-001371

anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 3. Subsection (10) of section 1001.43, Florida Statutes is amended to read:

1001.43 Supplemental powers and duties of district school board.-

(10) DISTRICT SCHOOL BOARD GOVERNANCE AND OPERATIONS.—The district school board may adopt policies and procedures necessary for the daily business operation of the district school board, including, but not limited to, the provision of legal services for the district school board; conducting a district legislative program; district school board member participation at conferences, conventions, and workshops, including ~~member compensation and~~ reimbursement for expenses; district school board policy development, adoption, and repeal; district school board meeting procedures, including participation via telecommunications networks, use of technology at meetings, and presentations by nondistrict personnel; citizen communications with the district school board and with individual district school board members; collaboration with local government and other entities as required by law; and organization of the district school board, including special committees and advisory committees. Members of special committees and advisory committees may attend meetings in person or through the use of telecommunications networks such as telephonic and video conferencing.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001372

Section 4. Subsection (5) of section 1008.32, Florida Statutes, is amended, and subsections (6), (7), (8), and (9) are added to read:

State Board of Education oversight enforcement authority.-

(5) Nothing in this section shall be construed to create a private cause of action, except as prescribed in law, or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

(6) The Legislature finds that school districts' willful, knowing, or repeated violations of and nonenforcement of laws in place to protect the health, safety, and welfare of a student, or ability to witness and discuss official acts in an open meeting may constitute misfeasance or malfeasance in office under Article IV, Section 7 of the Florida Constitution. An elected or appointed district school official must prove by a preponderance of the evidence that the action taken is reasonable and necessary to achieve a compelling state interest, is narrowly tailored, and cannot be achieved by less restrictive means. Violations or nonenforcement of the following sections may result in misfeasance or malfeasance as provided in this subsection:

(a) School safety protocols in Chapter 1006, including the protection of students who are the victims of bullying, harassment and abuse;

(b) The Parents' Bill of Rights in Chapter 1014; or

(c) Public meetings and records in Chapter 286.

(7) For purposes of violations of paragraph (6), a plaintiff may bring a civil action against a defendant in any

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FL-GOV-22-0226, 20-0378-A-001373

court of competent jurisdiction to enforce his or her rights under chapters 286, 1006 or 1014 by injunctive or declaratory relief.

(a) "Defendant" means a school district including the superintendent and school board members.

(b) "Plaintiff" means a parent or guardian, as defined in s. 1014.02(2), of a child who attends a school or program operated by a defendant.

(c) In an action brought by a plaintiff, the plaintiff must prove based on a preponderance of evidence that the defendant infringed on the fundamental rights under chapters 286, 1006 or 1014, including infringements through school district staff, policy or practice that intentionally orchestrate a scheme to undermine the fundamental rights under chapters 286, 1006 or 1014.

(d) The defendant may assert as an affirmative defense, and bears the burden of proving such by a preponderance of the evidence, that its action is reasonable and necessary to achieve a compelling state interest, is narrowly tailored, and cannot be achieved by less restrictive means.

(e) A plaintiff who prevails in an action under this section is entitled to recover the costs of the action and reasonable attorney fees assessed against the defendant of up to $100,000.

(8) A final judgment entered by a court of competent jurisdiction against a defendant listed in this section is further enforceable by the State Board of Education under the provisions of this section.

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FL-GOV-22-0226, 20-0378-A-001374

(a) Where a court has granted injunctive relief in favor of the plaintiff, the court or State Board of Education are authorized to impose a fine of up to $1,000 each day for continuing noncompliance after the injunction is entered.

(b) The State Board of Education may require the defendants to pay for statutory damages by certain federal, state or local funds.

(9) If a person employed as a member of the instructional staff in any district school system is disciplined or has other adverse action taken against them by the school district, in accordance with ss. 1012.33 and 1012.335, and it is determined that the employee was upholding the fundamental rights under chapters 286, 1006 or 1014, that employee is entitled to recover the costs of the action and reasonable attorney fees against the school district of up to $100,000.

Section 5. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001375

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	Cabinet Reform
Date:	Tuesday, November 30, 2021 8:08:27 PM
Attachments:	Cabinet Reform Language Vote - 10-5-21.docx Cabinet Reform Language Vote - DHSMV - 10-5-21.docx Cabinet Reform Language - Vote - DHSMV - Ad Com - FLWAC.docx

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Can you please put this in bill Drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the executive appointments; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and

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Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001378

A bill to be entitled

An act relating to the executive appointments; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; requiring the head of the Department of Highway Safety and Motor Vehicles to be a secretary appointed by, and serving at the pleasure of, the Governor and confirmed by the Senate; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet,

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FL-GOV-22-0226, 20-0378-A-001379

with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor and confirmed by the Senate. The secretary shall serve at the pleasure of the Governor ~~Cabinet~~.

Section 3. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

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FL-GOV-22-0226, 20-0378-A-001380

Section 4. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 5. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001381

A bill to be entitled

An act relating to executive reorganization; providing legislative purpose; providing for a type two transfer of the Administration Commission to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity; providing for the continuation of certain contracts and interagency agreements; providing for a type two transfer of the Florida Land and Water Adjudicatory Commission to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings; providing for the continuation of certain contracts and interagency agreements; authorizing the Governor to transfer funds and positions between agencies upon approval by the Legislative Budget Commission; requiring that the Governor submit specified information in a timely manner to certain entities; authorizing the Governor to obtain waivers as required by federal law; providing for the transfer of certain records, funds, and property to a successor organization; providing a directive to the Division of Law Revision to assist substantive committees in the preparation of conforming legislation; repealing s. 14.202, F.S., relating to the Administration

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Commission; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; requiring the head of the Department of Highway Safety and Motor Vehicles to be a secretary appointed by, and serving at the pleasure of, the Governor and confirmed by the Senate; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; amending ss. 30.49, 110.112, 110.161, 110.201, 110.2035, 110.205, 110.21, 110.219, 110.227, 110.403, 112.175, 120.533, 120.54, 120.542, 120.63, 120.65, 120.80, 161.55, 163.3164, 163.3177, 163.3184, 163.3187, 163.3213, 163.3245, 166.241, 186.008, 186.515, 190.005, 190.046, 195.087, 206.27, 207.021, 212.055, 215.619, 215.95, 216.182, 216.192, 259.045, 282.709, 288.975, 316.545, 320.275, 322.125, 331.353, 336.025, 337.243, 369.305, 373.114,

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373.139, 373.217, 373.2295, 373.4275, 373.703, 377.2425, 380.031, 380.032, 380.045, 380.05, 380.055, 380.0552, 380.0555, 380.06, 380.07, 380.115, 381.0065, 388.4111, 397.333, 403.061, 581.217, 624.509, 943.0313, 943.06, 945.6035, 945.6036, 1002.33, 1002.36, and 1013.25, F.S.; conforming provisions and cross-references to changes made by the act; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative purpose.—It is the intent of the Legislature to pursue a state executive structure more aligned with the federal system in order to promote greater accountability and efficiency. When America's founding fathers designed our federal government structure, they intentionally chose a system in which there was a unitary executive. The founders very consciously declined to sap the executive's strength by dividing the executive power and instead vested the executive power in one elected individual, believing that an energetic executive is the leading character in the definition of good government. The changes made herein reflect our intent to move away from a plural executive structure toward more unitary executive governance that encourages greater accountability in the democratic process and efficiencies in

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government.

Section 2. Type two transfers from the Executive Office of the Governor.—

(1)(a) Unless otherwise provided in this act, all powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Administration Commission in the Executive Office of the Governor are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity as appropriate.

(b) Any binding contract or interagency agreement existing before October 1, 2022, between the Administration Commission in the Executive Office of the Governor, or an entity or agent of the commission, and any other agency, entity, or person shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

(2) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative

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authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Florida Land and Water Adjudicatory Commission are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings as appropriate.

Section 3. (1) Notwithstanding ss. 216.292 and 216.351, Florida Statutes, upon approval by the Legislative Budget Commission, the Executive Office of the Governor may transfer funds and positions between agencies to implement this act.

(2) The Governor shall submit in a timely manner to the applicable federal departments or agencies any necessary amendments or supplemental information concerning plans that the state is required to submit to the Federal Government in connection with any federal or state program. The Governor shall seek any waivers from the requirements of federal law or rules which may be necessary to administer the provisions of this act.

(3) The transfer of any program, activity, duty, or function under this act includes the transfer of any records and unexpended balances of appropriations, allocations, or other funds related to such program, activity, duty, or function. Unless otherwise provided, the successor organization to any program, activity, duty, or function transferred under this act shall become the custodian of any property of the organization

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that was responsible for the program, activity, duty, or function immediately prior to the transfer.

Section 4. The Legislature recognizes that there is a need to conform the Florida Statutes to the policy decisions reflected in this act and that there is a need to resolve apparent conflicts between any other legislation that has been or may be enacted during the 2022 Regular Session of the Legislature and the transfer of duties made by this act. Therefore, in the interim between this act becoming law and the 2023 Regular Session of the Legislature or an earlier special session addressing this issue, the Division of Law Revision is directed to provide the relevant substantive committees of the Senate and the House of Representatives with assistance, upon request, to enable such committees to prepare draft legislation to conform the Florida Statutes and any legislation enacted during the 2021 Regular Session of the Legislature to the provisions of this act.

Section 5. Section 14.202, Florida Statutes, is repealed.

Section 6. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet,

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with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 7. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor and confirmed by the Senate. The secretary shall serve at the pleasure of the Governor ~~Cabinet~~.

Section 8. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be~~

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~~confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

Section 9. Effective July 1, 2021, subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 10. Paragraph (a) of subsection (4) and subsections (5) and (10) of section 30.49, Florida Statutes, are amended to read:

30.49 Budgets.—

(4) The board of county commissioners or the budget commission, as appropriate, may require the sheriff to correct mathematical, mechanical, factual, and clerical errors and errors as to form in the proposed budget. At the hearings held pursuant to s. 200.065, the board or commission may amend, modify, increase, or reduce any or all items of expenditure in the proposed budget, as certified by the sheriff pursuant to

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paragraphs (2)(a)-(c), and shall approve such budget, as amended, modified, increased, or reduced. The board or commission must give written notice of its action to the sheriff and specify in such notice the specific items amended, modified, increased, or reduced. The budget must include the salaries and expenses of the sheriff's office, cost of operation of the county jail, purchase, maintenance and operation of equipment, including patrol cars, radio systems, transporting prisoners, court duties, and all other salaries, expenses, equipment, and investigation expenditures of the entire sheriff's office for the previous year.

(a) The sheriff, within 30 days after receiving written notice of such action by the board or commission, in person or in his or her office, may file an appeal by petition to the head of the Department of Law Enforcement which is the Governor and Cabinet ~~Administration Commission~~. The petition must set forth the budget proposed by the sheriff, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, and the budget as approved by the board of county commissioners or the budget commission and shall contain the reasons or grounds for the appeal. Such petition shall be filed with the Executive Office of the Governor, and a copy served upon the board or commission from the decision of which appeal is taken by delivering the same to the chair or president thereof or to the clerk of the circuit

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court.

(b) The Executive Office of the Governor may, in accordance with chapter 120, adopt and promulgate rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days after the hearing, the head of the Department of Law Enforcement shall issue a final order to~~, shall~~ either approve the action of the board or commission as to each separate item, or approve the budget as proposed by the sheriff as to each separate item, or amend or modify the budget as to each separate item within the limits of the proposed board of expenditures and the expenditures as approved by the board of county commissioners or the budget commission, as the case may be. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

(10) If in the judgment of the sheriff an emergency should arise by reason of which the sheriff would be unable to perform his or her duties without the expenditure of larger amounts than those provided in the budget, he or she may apply to the board

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of county commissioners for the appropriation of additional amounts. If the board of county commissioners approves the sheriff's request, no further action is required on either party. If the board of county commissioners disapproves a portion or all of the sheriff's request, the sheriff may apply to the head of the Department of Law Enforcement ~~Administration Commission~~ for the appropriation of additional amounts. The sheriff shall at the same time deliver a copy of the application to the Executive Office of the Governor, the board of county commissioners, and the budget commission, if there is a budget commission within the county. The head of the Department of Law Enforcement ~~Administration Commission~~ may require a budget hearing on the application, after due notice to the sheriff and to the boards, and may grant or deny an increase or increases in the appropriations for the sheriff's offices. If any increase is granted, the board of county commissioners, and the budget commission, if there is a budget commission in the county, shall amend accordingly the budget of the appropriate county fund or funds. Such budget shall be brought into balance, if possible, by application of excess receipts in such county fund or funds. If such excess receipts are not available in sufficient amount, the county fund budget or budgets shall be brought into balance by adding an item of "Vouchers unpaid" in the appropriate amount to the receipts side of the budget, and provision for paying such vouchers shall be made in the budget of the county fund for

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the next fiscal year.

Section 11. Paragraph (a) of subsection (2) of section 110.112, Florida Statutes, is amended to read:

110.112 Affirmative action; equal employment opportunity.—

(2)(a) The head of each executive agency shall develop and implement an affirmative action plan in accordance with rules adopted by the department and approved by a majority vote of the Florida Commission on Human Relations ~~Administration Commission~~ before their adoption.

Section 12. Subsection (5) and paragraph (c) of subsection (6) of section 110.161, Florida Statutes, are amended to read:

110.161 State employees; pretax benefits program.—

(5) The Department of Management Services shall develop rules for the pretax benefits program, which shall specify the benefits to be offered under the program, the continuing tax-exempt status of the program, and any other matters deemed necessary by the department to implement this section. ~~The rules must be approved by a majority vote of the Administration Commission.~~

(6) The Department of Management Services is authorized to administer the pretax benefits program established for all employees so that employees may receive benefits that are not includable in gross income under the Internal Revenue Code of 1986. The pretax benefits program:

(c) May provide for the payment of such premiums through a

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pretax payroll procedure. The ~~Administration Commission and the~~ Department of Management Services is ~~are~~ directed to take all actions necessary to preserve the tax-exempt status of the program.

Section 13. Paragraphs (a), (b), and (c) of subsection (1) and subsection (4) of section 110.201, Florida Statutes, are amended to read:

110.201 Personnel rules, records, and reports.—

(1)(a) The department, in consultation with agencies that must comply with these rules, shall develop uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service. Agencies must comply with the uniform rules, except as provided in this section. The department may adopt rules that provide alternative requirements. Upon filing with the Department of State, the appropriate uniform rules will constitute the personnel rules for each agency subject to this act unless the department ~~Administration Commission~~ grants an exception to a specific rule to an agency upon the agency's request or unless the agency must comply with a statutory provision that conflicts with the uniform rules. If an agency must comply with a statutory provision that conflicts with the uniform rules, the agency must notify the department ~~Administration Commission~~, the Administrative Procedures Committee, and the appropriate standing committees of the Legislature and advise the standing

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committees whether the agency recommends revision of the statute to conform it to the uniform rules. Agencies are encouraged to propose methods of conforming statutory provisions to the uniform personnel rules.

(b) An agency may request an exception to the uniform personnel rules by filing a petition with the department ~~Administration Commission~~. The department ~~Administration Commission~~ shall approve an exception when the exception is necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the department ~~Administration Commission~~. The reasons for the exception must be published in the Florida Administrative Register.

(c) Agency rules that provide exceptions to the uniform personnel rules may not be filed with the Department of State unless the department ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules or that must comply with statutory requirements that conflict with the uniform rules must have a separate chapter published in the Florida Administrative Code which clearly delineates the provisions of the agency's rules which provide exceptions or are based upon a conflicting statutory requirement. Each alternative chosen from those

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authorized by the uniform rules must be specified. Each chapter must be organized in the same manner as the uniform rules.

(4) The department shall coordinate with the Governor ~~and consult with the Administration Commission~~ on personnel matters falling within the scope of collective bargaining and shall represent the Governor in collective bargaining negotiations and other collective bargaining matters as may be necessary. All discussions between the department and the Governor, and between the department and ~~the Administration Commission or~~ agency heads, or between any of their respective representatives, relative to collective bargaining, shall be exempt from the provisions of s. 286.011, and all work products relative to collective bargaining developed in conjunction with such discussions shall be confidential and exempt from the provisions of s. 119.07(1).

Section 14. Paragraph (e) of subsection (1) of section 110.2035, Florida Statutes, is amended to read:

110.2035 Classification and compensation program.—

(1) The department ~~of Management Services~~ shall establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service, and Senior Management Service positions. No action may be taken to fill any position until it has been classified in accordance with the classification plan.

(e) In cooperation and consultation with the employing

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agencies, the department shall adopt rules necessary to govern the administration of the classification plan. ~~Such rules shall be approved by the Administration Commission prior to their adoption by the department.~~

Section 15. Paragraph (n) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(n)1.a. In addition to those positions exempted by other paragraphs of this subsection, each department head may designate a maximum of 20 policymaking or managerial positions, as defined by the department ~~and approved by the Administration Commission~~, as being exempt from the Career Service System. Career service employees who occupy a position designated as a position in the Selected Exempt Service under this paragraph shall have the right to remain in the Career Service System by opting to serve in a position not exempted by the employing agency. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Selected Exempt Service; provided, however, that if the agency head determines that the general counsel, chief Cabinet aide, public information administrator or comparable position for a Cabinet officer, inspector general, or legislative affairs director has both policymaking and

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managerial responsibilities and if the department determines that any such position has both policymaking and managerial responsibilities, the salary and benefits for each such position shall be established by the department in accordance with the rules of the Senior Management Service.

b. In addition, each department may designate one additional position in the Senior Management Service if that position reports directly to the agency head or to a position in the Senior Management Service and if any additional costs are absorbed from the existing budget of that department.

2. If otherwise exempt, employees of the Public Employees Relations Commission, the Commission on Human Relations, and the Reemployment Assistance Appeals Commission, upon the certification of their respective commission heads, may be provided for under this paragraph as members of the Senior Management Service, if otherwise qualified. However, the deputy general counsel of the Public Employees Relations Commission shall be compensated as members of the Selected Exempt Service.

Section 16. Subsection (5) of section 110.21, Florida Statutes, is amended to read:

110.21 Shared employment.—In order to promote part-time career employment opportunities at all levels in the career service, the department shall establish and maintain a plan for shared employment applicable to all classes in the career service and shall be responsible for the overall review,

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coordination, and administration of the shared-employment plan.

(5) The department shall adopt any rules necessary to implement the provisions of this section~~; however, such rules shall be approved by the Administration Commission prior to their adoption by the department~~.

Section 17. Subsection (5) of section 110.219, Florida Statutes, is amended to read:

110.219 Attendance and leave; general policies.—

(5) Rules shall be adopted by the department in cooperation and consultation with the agencies to implement the provisions of this section~~; however, such rules must be approved by the Administration Commission prior to their adoption~~. Such rules must provide for, but need not be limited to:

(a) The maximum responsibility and authority resting with each agency head to administer attendance and leave matters in the agency within the parameters of the rules adopted by the department.

(b) Creditable service in which 1 month of service credit is awarded for each calendar month that the employee is on the payroll of a state agency or during which the employee is on authorized leave without pay.

(c) Holidays as provided in s. 110.117.

(d) Overtime provisions.

(e) Annual leave provisions.

(f) Sick leave provisions.

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(g) Parental leave provisions.

(h) Family medical leave provisions.

(i) Disability leave provisions.

(j) Compulsory disability leave provisions.

(k) Administrative leave provisions.

(l) Military leave provisions.

(m) Educational leave with pay provisions.

(n) Leave of absence without pay provisions.

Section 18. Paragraph (b) of subsection (2) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(2)

(b) For the implementation of layoffs as defined in s. 110.107, the department shall develop rules requiring retention of the agency's employees based upon objective measures that give consideration to comparative merit, demonstrated skills, the employee's experience, and the employee's length of service. ~~Such rules shall be approved by the Administration Commission before their adoption by the department.~~

Section 19. Subsection (1) of section 110.403, Florida Statutes, is amended to read:

110.403 Powers and duties of the department.—

(1) In order to implement the purposes of this part, the Department of Management Services~~, after approval by the~~

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~~Administration Commission,~~ shall adopt and amend rules providing for:

(a) A system for employing, promoting, or reassigning managers that is responsive to organizational or program needs. In no event shall the number of positions included in the Senior Management Service exceed 1.0 percent of the total full-time equivalent positions in the career service. The department shall deny approval to establish any position within the Senior Management Service which would exceed the limitation established in this paragraph. The department shall report that the limitation has been reached to the Governor, the President of the Senate, and the Speaker of the House of Representatives, as soon as practicable after such event occurs. Employees in the Senior Management Service shall serve at the pleasure of the agency head and shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel action at the discretion of the agency head. Such personnel actions are exempt from the provisions of chapter 120.

(b) A performance appraisal system which shall take into consideration individual and organizational efficiency, productivity, and effectiveness.

(c) A classification plan and a salary and benefit plan that provides appropriate incentives for the recruitment and retention of outstanding management personnel and provides for salary increases based on performance.

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(d) A system of rating duties and responsibilities for positions within the Senior Management Service and the qualifications of candidates for those positions.

(e) A system for documenting actions taken on agency requests for approval of position exemptions and special pay increases.

(f) Requirements regarding recordkeeping by agencies with respect to Senior Management Service positions. Such records shall be audited periodically by the department ~~of Management Services~~ to determine agency compliance with the provisions of this part and the rules of the department ~~of Management Services~~.

(g) Other procedures relating to personnel administration to carry out the purposes of this part.

(h) A program of affirmative and positive action that will ensure full utilization of women and minorities in Senior Management Service positions.

Section 20. Subsection (2) of section 112.175, Florida Statutes, is amended to read:

112.175 Employee wages; withholding to repay educational loan.—

(2) The Department of Management Services ~~Administration Commission~~ shall adopt rules to implement this section, which shall include, but not be limited to, a standard method of calculating amounts to be withheld from employees who have

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failed to establish a repayment schedule within the specified period of time or failed to meet the terms and conditions of the agreed to or approved repayment schedule provided for in this section. Such method shall consider the following factors:

(a) The amount of the loan which remains outstanding;

(b) The income of the employee who owes such amount; and

(c) Other factors such as the number of dependents supported by the employee.

Section 21. Subsection (7) of section 120.533, Florida Statutes, is amended to read:

120.533 Coordination of the transmittal, indexing, and listing of agency final orders by Department of State.—The Department of State shall:

(7) Adopt rules as necessary to administer its responsibilities under this section, which shall be binding on all agencies including the division acting in the capacity of official compiler of administrative final orders under s. 120.53, notwithstanding s. 120.65. ~~The Department of State may provide for an alternative official compiler to manage and operate the division's database and related services if the Administration Commission determines that the performance of the division as official compiler is unsatisfactory.~~

Section 22. Subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

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(5) UNIFORM RULES.—

(a)1. The division ~~By July 1, 1997, the Administration Commission~~ shall adopt one or more sets of uniform rules of procedure which shall be reviewed by the committee and filed with the Department of State. Agencies must comply with the uniform rules ~~by July 1, 1998~~. The uniform rules shall establish procedures that comply with the requirements of this chapter. On filing with the department, the uniform rules shall be the rules of procedure for each agency subject to this chapter unless the division ~~Administration Commission~~ grants an exception to the agency under this subsection.

2. An agency may seek exceptions to the uniform rules of procedure by filing a petition with the division. The division ~~Administration Commission. The Administration Commission~~ shall approve exceptions to the extent necessary to implement other statutes, to the extent necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the division ~~Administration Commission~~. The reasons for the exceptions shall be published in the Florida Administrative Register.

3. Agency rules that provide exceptions to the uniform rules shall not be filed with the department unless the division ~~Administration Commission~~ has approved the exceptions. Each

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agency that adopts rules that provide exceptions to the uniform rules shall publish a separate chapter in the Florida Administrative Code that delineates clearly the provisions of the agency's rules that provide exceptions to the uniform rules and specifies each alternative chosen from among those authorized by the uniform rules. Each chapter shall be organized in the same manner as the uniform rules.

(b) The uniform rules of procedure adopted by the division ~~commission~~ pursuant to this subsection shall include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency that provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name

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locations, if any, where communications media technology facilities will be available. Nothing in this paragraph shall be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The division ~~Administration Commission~~ may prescribe the form and substantive provisions of a required bond.

4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules shall require the petition to include:

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a. The identification of the petitioner, including the petitioner's e-mail address, if any, for the transmittal of subsequent documents by electronic means.

b. A statement of when and how the petitioner received notice of the agency's action or proposed action.

c. An explanation of how the petitioner's substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules shall require a request to include:

a. The name, address, e-mail address, and telephone number

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of the party making the request and the name, address, and telephone number of the party's counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent's use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Register under s. 120.565, including any applicable time limit for the filing of

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petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency's organization and general course of its operations. The rules shall require that the statement concerning the agency's organization and operations be published on the agency's website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 23. Subsection (3) of section 120.542, Florida Statutes, is amended to read:

120.542 Variances and waivers.—

(3) The division ~~Governor and Cabinet, sitting as the Administration Commission,~~ shall adopt uniform rules of procedure pursuant to the requirements of s. 120.54(5) establishing procedures for granting or denying petitions for variances and waivers. The uniform rules shall include procedures for the granting, denying, or revoking of emergency and temporary variances and waivers. Such provisions may provide for expedited timeframes, waiver of or limited public notice, and limitations on comments on the petition in the case of such temporary or emergency variances and waivers.

Section 24. Section 120.63, Florida Statutes, is amended to read:

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120.63 Exemption from act.—

(1) Upon application of any agency, the Department of Management Services ~~Administration Commission~~ may exempt any process or proceeding governed by this act from one or more requirements of this act:

(a) When the agency head has certified that the requirement would conflict with any provision of federal law or rules with which the agency must comply;

(b) In order to permit persons in the state to receive tax benefits or federal funds under any federal law; or

(c) When the Department of Management Services ~~commission~~ has found that conformity with the requirements of the part or parts of this act for which exemption is sought would be so inconvenient or impractical as to defeat the purpose of the agency proceeding involved or the purpose of this act and would not be in the public interest in light of the nature of the intended action and the enabling act or other laws affecting the agency.

(2) The Department of Management Services ~~commission~~ may not exempt an agency from any requirement of this act pursuant to this section until it establishes alternative procedures to achieve the agency's purpose which shall be consistent, insofar as possible, with the intent and purpose of the act.

(a) Prior to the granting of any exemption authorized by this section, the Department of Management Services ~~commission~~

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shall hold a public hearing after notice given as provided in s. 120.525. Upon the conclusion of the hearing, the Department of Management Services ~~commission, through the Executive Office of the Governor,~~ shall issue an order specifically granting or denying the exemption and specifying any processes or proceedings exempted and the extent of the exemption; transmit to the committee and to the Department of State a copy of the petition, a certified copy of the order granting or denying the petition, and a copy of any alternative procedures prescribed; and give notice of the petition and the Department of Management Services' ~~commission's~~ response in the Florida Administrative Register.

(b) An exemption and any alternative procedure prescribed shall terminate 90 days following adjournment sine die of the then-current or next regular legislative session after issuance of the exemption order, or upon the effective date of any subsequent legislation incorporating the exemption or any partial exemption related thereto, whichever is earlier. The exemption granted by the Department of Management Services ~~commission~~ shall be renewable upon the same or similar facts not more than once. Such renewal shall terminate as would an original exemption.

Section 25. Subsections (2) and (8) of section 120.65, Florida Statutes, are amended to read:

120.65 Administrative law judges.—

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(2) The director has the right to appeal actions by the Executive Office of the Governor that affect amendments to the division's approved operating budget or any personnel actions pursuant to chapter 216 to the Governor and Cabinet ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees may advise the Governor and Cabinet ~~Administration Commission~~ on the issue. If the President of the Senate and the Speaker of the House of Representatives object in writing to the effects of the appeal, the appeal may be affirmed by the majority vote of the Governor and Cabinet ~~affirmative vote of two-thirds of the commission members present~~.

(8) Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Governor ~~Administration Commission~~, including at least the following information:

(a) A summary of the extent and effect of agencies' utilization of administrative law judges, court reporters, and other personnel in proceedings under this chapter.

(b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

(c) Recommendations as to those types of cases or disputes which should be conducted under the summary hearing process described in s. 120.574.

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(d) A report regarding each agency's compliance with the filing requirement in s. 120.57(1)(m).

Section 26. Paragraph (a) of subsection (1) and subsection (5) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

(1) DIVISION OF ADMINISTRATIVE HEARINGS.—

(a) *Division as a party.*—Notwithstanding s. 120.57(1)(a), a hearing in which the division is a party may not be conducted by an administrative law judge assigned by the division. An attorney assigned by the Department of Management Services ~~Administration Commission~~ shall be the hearing officer.

(5) LAND USE AND PLANNING ~~FLORIDA LAND AND WATER ADJUDICATORY COMMISSION.—Notwithstanding the provisions of s. 120.57(1)(a),~~ When the division ~~Florida Land and Water Adjudicatory Commission~~ receives a notice of appeal pursuant to s. 380.07, the division ~~the commission~~ shall notify the Department of Economic Opportunity and the Department of Environmental Protection ~~division~~ within 60 days after receipt of the notice of appeal ~~if the commission elects to request the assignment of an administrative law judge~~.

Section 27. Subsection (4) of section 161.55, Florida Statutes, is amended to read:

161.55 Requirements for activities or construction within the coastal building zone.—The following requirements shall apply beginning March 1, 1986, to construction within the

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coastal building zone and shall be minimum standards for construction in this area:

(4) APPLICATION TO COASTAL BARRIER ISLANDS.—All requirements of this part which are applicable to the coastal building zone shall also apply to coastal barrier islands. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high-water line to a line 5,000 feet landward from the coastal construction control line established pursuant to s. 161.053, or the entire island, whichever is less. For coastal barrier islands on which a coastal construction control line has not been established pursuant to s. 161.053, the coastal building zone shall be the land area seaward of the most landward velocity zone (V-zone) boundary line fronting upon the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida. All land area in the Florida Keys located within Monroe County shall be included in the coastal building zone. The coastal building zone on any coastal barrier island between Sebastian Inlet and Fort Pierce Inlet may be reduced in size upon approval of the department ~~Land and Water Adjudicatory Commission~~, if it determines that the local government with jurisdiction has provided adequate protection for the barrier island. In no case, however, shall the coastal building zone be reduced to an area less than a line 2,500 feet landward of the coastal construction control line. The department ~~Land and Water Adjudicatory Commission~~ shall withdraw its approval for a

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reduced coastal building zone if it determines that 6 months after a local government comprehensive plan is due for submission to the state land planning agency pursuant to s. 163.3167 the local government with jurisdiction has not adopted a coastal management element which is in compliance with s. 163.3178.

Section 28. Subsection (2) and present subsection (45) of section 163.3164, Florida Statutes, are amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

~~(2) "Administration Commission" means the Governor and the Cabinet, and for purposes of this chapter the commission shall act on a simple majority vote, except that for purposes of imposing the sanctions provided in s. 163.3184(8), affirmative action shall require the approval of the Governor and at least three other members of the commission.~~

(44)~~(45)~~ "Structure" has the same meaning as in s. 380.031(18) ~~s. 380.031(19)~~.

Section 29. Paragraph (f) of subsection (1) and paragraph (a) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and

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balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

(f) All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys,

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studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

1. Surveys, studies, and data utilized in the preparation of the comprehensive plan may not be deemed a part of the comprehensive plan unless adopted as a part of it. Copies of such studies, surveys, data, and supporting documents for proposed plans and plan amendments shall be made available for public inspection, and copies of such plans shall be made available to the public upon payment of reasonable charges for reproduction. Support data or summaries are not subject to the compliance review process, but the comprehensive plan must be clearly based on appropriate data. Support data or summaries may be used to aid in the determination of compliance and consistency.

2. Data must be taken from professionally accepted sources. The application of a methodology utilized in data collection or whether a particular methodology is professionally accepted may be evaluated. However, the evaluation may not include whether one accepted methodology is better than another. Original data collection by local governments is not required. However, local governments may use original data so long as

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methodologies are professionally accepted.

3. The comprehensive plan shall be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~,~~ ~~including related rules of the Administration Commission~~. Absent physical limitations on population growth, population projections for each municipality, and the unincorporated area within a county must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth.

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of

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density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

a. The amount of land required to accommodate anticipated growth.

b. The projected permanent and seasonal population of the area.

c. The character of undeveloped land.

d. The availability of water supplies, public facilities, and services.

e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.

f. The compatibility of uses on lands adjacent to or

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closely proximate to military installations.

g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

h. The discouragement of urban sprawl.

i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

j. The need to modify land uses and development patterns within antiquated subdivisions.

3. The future land use plan element shall include criteria to be used to:

a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).

b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.

d. Encourage the location of schools proximate to urban residential areas to the extent possible.

e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.

f. Ensure the protection of natural and historic

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resources.

g. Provide for the compatibility of adjacent land uses.

h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.

4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~, including related rules of the Administration Commission~~.

5. The future land use plan of a county may designate areas for possible future municipal incorporation.

6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.

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7. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.

8. Future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services.

b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment

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does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities

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and services.

(VII) Fails to maximize use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(IX) Fails to provide a clear separation between rural and urban uses.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

(XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.

(XIII) Results in the loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural

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resources and ecosystems.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

(IV) Promotes conservation of water and energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

10. The future land use element shall include a future land use map or map series.

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a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:

(I) Residential.

(II) Commercial.

(III) Industrial.

(IV) Agricultural.

(V) Recreational.

(VI) Conservation.

(VII) Educational.

(VIII) Public.

b. The following areas shall also be shown on the future land use map or map series, if applicable:

(I) Historic district boundaries and designated historically significant properties.

(II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.

(III) Multimodal transportation district boundaries.

(IV) Mixed-use categories.

c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:

(I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.

(II) Beaches and shores, including estuarine systems.

(III) Rivers, bays, lakes, floodplains, and harbors.

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(IV) Wetlands.

(V) Minerals and soils.

(VI) Coastal high hazard areas.

Section 30. Paragraph (c) of subsection (3), paragraph (e) of subsection (4), paragraph (d) of subsection (5), paragraph (d) of subsection (7), and subsection (8) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(c)1. The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other

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agency or local government that provided timely comments under subparagraph (b)2.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of an amendment package. For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. An amendment adopted under this paragraph does not become effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(4) STATE COORDINATED REVIEW PROCESS.—

(e) *Local government review of comments; adoption of plan or amendments and transmittal.*—

1. The local government shall review the report submitted

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to it by the state land planning agency, if any, and written comments submitted to it by any other person, agency, or government. The local government, upon receipt of the report from the state land planning agency, shall hold its second public hearing, which shall be a hearing to determine whether to adopt the comprehensive plan or one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails to hold the second hearing within 180 days after receipt of the state land planning agency's report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under paragraph (c).

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of a plan or plan amendment package. For purposes of completeness, a plan or plan amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of

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the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. After the state land planning agency makes a determination of completeness regarding the adopted plan or plan amendment, the state land planning agency shall have 45 days to determine if the plan or plan amendment is in compliance with this act. Unless the plan or plan amendment is substantially changed from the one commented on, the state land planning agency's compliance determination shall be limited to objections raised in the objections, recommendations, and comments report. During the period provided for in this subparagraph, the state land planning agency shall issue, through a senior administrator or the secretary, a notice of intent to find that the plan or plan amendment is in compliance or not in compliance. The state land planning agency shall post a copy of the notice of intent on the agency's Internet website. Publication by the state land planning agency of the notice of intent on the state land planning agency's Internet site shall be prima facie evidence of compliance with the publication requirements of this subparagraph.

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5. A plan or plan amendment adopted under the state coordinated review process shall go into effect pursuant to the state land planning agency's notice of intent. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(d) ~~If the administrative law judge recommends that the amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. The Department of Economic Opportunity ~~Administration Commission~~ shall make every effort to enter a final order expeditiously, but at a minimum within the time period provided by s. 120.569.

(7) MEDIATION AND EXPEDITIOUS RESOLUTION.—

(d) For a case following the procedures under this subsection, absent written consent of the parties or a showing of extraordinary circumstances, if the administrative law judge recommends that the amendment be found not in compliance, the Department of Economic Opportunity ~~Administration Commission~~ shall issue a final order within 45 days after issuance of the recommended order. If the administrative law judge recommends

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that the amendment be found in compliance, the state land planning agency shall issue a final order within 45 days after issuance of the recommended order. If the state land planning agency fails to timely issue a final order, the recommended order finding the amendment to be in compliance immediately becomes the final order.

(8) DEPARTMENT OF ECONOMIC OPPORTUNITY ~~ADMINISTRATION COMMISSION~~.—

(a) If the Department of Economic Opportunity ~~Administration Commission~~, upon a hearing pursuant to subsection (5), finds that the comprehensive plan or plan amendment is not in compliance with this act, the department ~~commission~~ shall specify remedial actions that would bring the comprehensive plan or plan amendment into compliance.

(b) The Department of Economic Opportunity ~~commission~~ may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1. The department ~~commission~~ may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The department's ~~commission~~ order may also specify that the local

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government is not eligible for grants administered under the following programs:

a. The Florida Small Cities Community Development Block Grant Program, as authorized by ss. 290.0401-290.048.

b. The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c. Revenue sharing pursuant to ss. 206.60, 210.20, and 218.61 and chapter 212, to the extent not pledged to pay back bonds.

2. If the local government is one which is required to include a coastal management element in its comprehensive plan pursuant to s. 163.3177(6)(g), the department's ~~commission~~ order may also specify that the local government is not eligible for funding pursuant to s. 161.091. The department's ~~commission~~ order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. 161.053 and when the Board of Trustees of the Internal Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3. The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and

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except as provided in this paragraph.

Section 31. Paragraph (c) of subsection (1) and paragraphs (b) and (c) of subsection (5) of section 163.3187, Florida Statutes, are amended to read:

163.3187 Process for adoption of small-scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or ~~by the Administration Commission~~ pursuant to s. 380.05(1).

(5)

(b) ~~1. If the administrative law judge recommends that the small scale development amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. ~~If the administrative law judge recommends that the small scale development amendment be found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.~~

~~2. If the state land planning agency determines that the~~

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~~plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.~~

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the department ~~state land planning agency or the Administration Commission, respectively,~~ issues a final order determining that the adopted small scale development amendment is in compliance.

Section 32. Subsection (6) of section 163.3213, Florida Statutes, is amended to read:

163.3213 Administrative review of land development regulations.—

(6) If the administrative law judge in his or her order finds the land development regulation to be inconsistent with the local comprehensive plan, the order will be submitted to the Department of Economic Opportunity ~~Administration Commission~~. An appeal pursuant to s. 120.68 may not be taken until the Department of Economic Opportunity makes a final determination of the recommended order ~~Administration Commission acts pursuant to this subsection~~. The Department of Economic Opportunity shall

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make a final determination ~~Administration Commission shall hold a hearing~~ no earlier than 30 days or later than 60 days after the administrative law judge renders his or her final order. The sole issue before the Department of Economic Opportunity ~~Administration Commission~~ shall be the extent to which any of the sanctions described in s. 163.3184(8)(a) or (b)1. or 2. shall be applicable to the local government whose land development regulation has been found to be inconsistent with its comprehensive plan. If a land development regulation is not challenged within 12 months, it shall be deemed to be consistent with the adopted local plan.

Section 33. Paragraph (e) of subsection (3) of section 163.3245, Florida Statutes, is amended to read:

163.3245 Sector plans.—

(3) Sector planning encompasses two levels: adoption pursuant to s. 163.3184 of a long-term master plan for the entire planning area as part of the comprehensive plan, and adoption by local development order of two or more detailed specific area plans that implement the long-term master plan and within which s. 380.06 is waived.

(e) Whenever a local government issues a development order approving a detailed specific area plan, a copy of such order shall be rendered to the state land planning agency and the owner or developer of the property affected by such order, as prescribed by rules of the state land planning agency for a

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development order for a development of regional impact. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the detailed specific area plan is not consistent with the comprehensive plan or with the long-term master plan adopted pursuant to this section. The appellant shall furnish a copy of the petition to the opposing party, as the case may be, and to the local government that issued the order. The filing of the petition stays the effectiveness of the order until after completion of the appeal process. However, if a development order approving a detailed specific area plan has been challenged by an aggrieved or adversely affected party in a judicial proceeding pursuant to s. 163.3215, and a party to such proceeding serves notice to the state land planning agency, the state land planning agency shall dismiss its appeal to the division ~~commission~~ and shall have the right to intervene in the pending judicial proceeding pursuant to s. 163.3215. Proceedings for administrative review of an order approving a detailed specific area plan shall be conducted consistent with s. 380.07(5). The division ~~commission~~ shall issue a decision granting or denying permission to develop pursuant to the long-term master plan and the standards of this part and may attach conditions or restrictions to its decisions.

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Section 34. Subsection (4)(a), (b), and (5) of section 166.241, Florida Statutes, is amended to read:

166.241 Fiscal years, budgets, appeal of municipal law enforcement agency budget, and budget amendments.—

(4)(a) If the tentative budget of a municipality contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an appeal by petition to the head of the Department of Law Enforcement ~~Administration Commission~~ within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply

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with the Executive Office of the Governor and shall serve a copy of such reply to the petitioner.

(c) The Executive Office of the Governor may, in accordance with chapter 120, adopt and promulgate rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days, shall approve the action of the governing body of the municipality or amend or modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

Section 35. Subsections (1) and (2) of section 186.008, Florida Statutes, are amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Department of Economic Opportunity ~~Administration Commission~~, any proposed revisions to the state

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comprehensive plan deemed necessary. The Governor shall transmit his or her recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.

(2) On or before December 15 of every odd-numbered year, the Department of Economic Opportunity ~~Administration Commission~~ shall review the proposed revisions to the state comprehensive plan prepared by the Governor. The department ~~commission~~ shall provide ~~adopt a resolution, after~~ public notice and a reasonable opportunity for public comment~~,~~ and transmit the proposed revisions to the state comprehensive plan to the Legislature, together with any amendments approved by the department ~~commission~~ and any dissenting reports. The department ~~commission~~ shall identify those portions of the plan that are not based on existing law.

Section 36. Section 186.515, Florida Statutes, is amended to read:

186.515 Creation of regional planning councils under chapter 163.—Nothing in ss. 186.501-186.507, 186.513, and this section is intended to repeal or limit the provisions of chapter 163; however, the local general-purpose governments serving as voting members of the governing body of a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and

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this section are not authorized to create a regional planning council pursuant to chapter 163 unless an agency, other than a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section, is designated to exercise the powers and duties in any one or more of ss. 163.3164 and 380.031(14) ~~ss. 163.3164 and 380.031(15)~~; in which case, such a regional planning council is also without authority to exercise the powers and duties in s. 163.3164 or s. 380.031(14) ~~s. 380.031(15)~~.

Section 37. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 190.005, Florida Statutes, are amended to read:

190.005 Establishment of district.—

(1) The exclusive and uniform method for the establishment of a community development district with a size of 2,500 acres or more shall be pursuant to a rule, adopted under chapter 120 by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, granting a petition for the establishment of a community development district.

(a) A petition for the establishment of a community development district shall be filed by the petitioner with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. The petition shall contain:

1. A metes and bounds description of the external boundaries of the district. Any real property within the

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external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district.

2. The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(14), the written consent by such governmental entity.

3. A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006.

4. The proposed name of the district.

5. A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.

6. Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be

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submitted in good faith but are not binding and may be subject to change.

7. A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Community Planning Act.

8. A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.

(b) Prior to filing the petition, the petitioner shall:

1. Pay a filing fee of $15,000 to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of the land within, the external boundaries of the district.

2. Submit a copy of the petition to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of, the land within the external boundaries of the district.

3. If land to be included within a district is located

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partially within the unincorporated area of one or more counties and partially within a municipality or within two or more municipalities, pay a $15,000 filing fee to each entity. Districts established across county boundaries shall be required to maintain records, hold meetings and hearings, and publish notices only in the county where the majority of the acreage within the district lies.

(c) Such county and each such municipality required by law to receive a petition may conduct a public hearing to consider the relationship of the petition to the factors specified in paragraph (e). The public hearing shall be concluded within 45 days after the date the petition is filed unless an extension of time is requested by the petitioner and granted by the county or municipality. The county or municipality holding such public hearing may by resolution express its support of, or objection to the granting of, the petition by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. A resolution must base any objection to the granting of the petition upon the factors specified in paragraph (e). Such county or municipality may present its resolution of support or objection at the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ hearing and shall be afforded an opportunity to present relevant information in support of its resolution.

(d) A local public hearing on the petition shall be

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conducted by a hearing officer in conformance with the applicable requirements and procedures of the Administrative Procedure Act. The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph (e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice of the hearing to be published in a newspaper at least once a week for the 4 successive weeks immediately prior to the hearing. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper of general paid circulation in the county and of general interest and readership in the community, not one of limited subject matter, pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least 5 days a week, unless the only newspaper in the community is published fewer than 5 days a week. In addition to being published in the newspaper, the map referenced above must be part of the online advertisement required pursuant to s.

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50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

(e) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall consider the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments as provided in paragraph (c), and the following factors and make a determination to grant or deny a petition for the establishment of a community development district:

1. Whether all statements contained within the petition have been found to be true and correct.

2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

5. Whether the community development services and

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facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

6. Whether the area that will be served by the district is amenable to separate special-district government.

(f) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall not adopt any rule which would expand, modify, or delete any provision of the uniform community development district charter as set forth in ss. 190.006-190.041, except as provided in s. 190.012. A rule establishing a community development district shall only contain the following:

1. A metes and bounds description of the external boundaries of the district and any real property within the external boundaries of the district which is to be excluded.

2. The names of five persons designated to be the initial members of the board of supervisors.

3. The name of the district.

(g) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules setting forth its procedures for considering petitions to establish, expand, modify, or delete uniform community development districts or portions thereof consistent with the provisions of this section.

(2) The exclusive and uniform method for the establishment of a community development district of less than 2,500 acres in

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size or a community development district of up to 7,000 acres in size located within a connected-city corridor established pursuant to s. 163.3246(13) shall be pursuant to an ordinance adopted by the county commission of the county having jurisdiction over the majority of land in the area in which the district is to be located granting a petition for the establishment of a community development district as follows:

(e) If all of the land in the area for the proposed district is within the territorial jurisdiction of a municipal corporation, then the petition requesting establishment of a community development district under this act shall be filed by the petitioner with that particular municipal corporation. In such event, the duties of the county, hereinabove described, in action upon the petition shall be the duties of the municipal corporation. If any of the land area of a proposed district is within the land area of a municipality, the county commission may not create the district without municipal approval. If all of the land in the area for the proposed district, even if less than 2,500 acres, is within the territorial jurisdiction of two or more municipalities or two or more counties, except for proposed districts within a connected-city corridor established pursuant to s. 163.3246(13), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ and proceed in accordance with subsection (1).

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(f) Notwithstanding any other provision of this subsection, within 90 days after a petition for the establishment of a community development district has been filed pursuant to this subsection, the governing body of the county or municipal corporation may transfer the petition to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, which shall make the determination to grant or deny the petition as provided in subsection (1). A county or municipal corporation shall have no right or power to grant or deny a petition that has been transferred to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

Section 38. Paragraph (d) of subsection (1) and subsection (10) of section 190.046, Florida Statutes, are amended to read:

190.046 Termination, contraction, or expansion of district.—

(1) A landowner or the board may petition to contract or expand the boundaries of a community development district in the following manner:

(d)1. For those districts initially established by administrative rule pursuant to s. 190.005(1), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

2. Prior to filing the petition, the petitioner shall pay a filing fee of $1,500, to the county if the district or the

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land to be added or deleted from the district is located within an unincorporated area or to the municipality if the district or the land to be added or deleted is located within an incorporated area, and to each municipality the boundaries of which are contiguous with or contain all or a portion of the land within or to be added to or deleted from the external boundaries of the district. The petitioner shall submit a copy of the petition to the same entities entitled to receive the filing fee. In addition, if the district is not the petitioner, the petitioner shall file the petition with the district board of supervisors.

3. Each county and each municipality shall have the option of holding a public hearing as provided by s. 190.005(1)(c). However, the public hearing shall be limited to consideration of the contents of the petition and whether the petition for amendment should be supported by the county or municipality.

4. The district board of supervisors shall, in lieu of a hearing officer, hold the local public hearing provided for by s. 190.005(1)(d). This local public hearing shall be noticed in the same manner as provided in s. 190.005(1)(d). Within 45 days of the conclusion of the hearing, the district board of supervisors shall transmit to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ the full record of the local hearing, the transcript of the hearing, any resolutions adopted by the local general-purpose

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governments, and its recommendation whether to grant the petition for amendment. The department ~~commission~~ shall then proceed in accordance with s. 190.005(1)(e).

5. A rule amending a district boundary shall describe the land to be added or deleted.

(10) If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district or, if the district was established by rule of the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, the district may be dissolved by repeal of such rule of the department ~~commission~~.

Section 39. Paragraph (b) of subsection (1) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(1)

(b) The Division of Administrative Hearings ~~Governor and Cabinet, sitting as the Administration Commission,~~ may hear appeals from the final action of the department upon a written request being filed by the property appraiser or the presiding officer of the county commission no later than 15 days after the conclusion of the hearing held pursuant to s. 200.065(2)(d). The

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filing of an appeal does not relieve the county commission of its obligation to fund the department-approved final budget during the pendency of the appeal. The Department of Management Services ~~Administration Commission~~ may amend the budget if it finds that any aspect of the budget is unreasonable in light of the workload of the office of the property appraiser in the county under review. The budget request as approved by the department and as amended by the Department of Management Services ~~commission~~ shall become the operating budget of the property appraiser for the ensuing fiscal year beginning October 1, except that the budget so approved may subsequently be amended under the same procedure. After final approval, the property appraiser shall make no transfer of funds between accounts without the written approval of the department. However, all moneys received by property appraisers in complying with chapter 119 shall be accounted for in the same manner as provided for in s. 218.36, for moneys received as county fees and commissions, and any such moneys may be used and expended in the same manner and to the same extent as funds budgeted for the office and no budget amendment shall be required.

Section 40. Effective July 1, 2021, subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~Nothing herein shall be construed as requiring~~ the department to provide as a public

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record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that the foregoing information shall be exempt from ~~the provisions of~~ s. 119.07(1) and shall be considered confidential pursuant to s. 213.053; however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, shall apply if the department makes such information available. An ~~Any~~ officer, employee, or former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 41. Effective July 1, 2021, paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

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(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

Section 42. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the

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maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is

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ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" means facilities as defined in s. 163.3164(38) ~~s. 163.3164(39)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office

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buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with

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the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through

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conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property, including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 43. Subsection (1) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(1) The issuance of Everglades restoration bonds to

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finance or refinance the cost of the acquisition and improvement of land, water areas, and related property interests and resources for the purpose of implementing the Comprehensive Everglades Restoration Plan under s. 373.470, the Lake Okeechobee Watershed Protection Plan under s. 373.4595, the Caloosahatchee River Watershed Protection Plan under s. 373.4595, the St. Lucie River Watershed Protection Plan under s. 373.4595, the City of Key West Area of Critical State Concern as designated ~~by the Administration Commission~~ under s. 380.05, and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 in order to restore and conserve natural systems through implementation of water management projects, including projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects, projects to protect water resources available to the Florida Keys, including wastewater management projects identified in the Keys Wastewater Plan, dated November 2007, and submitted to the Florida House of Representatives on December 4, 2007, is authorized in accordance with s. 11(e), Art. VII of the State Constitution.

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding $100 million per fiscal year unless:

1. The Department of Environmental Protection has

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requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or

2. The Legislature authorizes an additional amount of bonds not to exceed $200 million, and limited to $50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program and the City of Key West Area of Critical State Concern. Proceeds from the bonds shall be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys.

(b) The duration of Everglades restoration bonds may not exceed 20 annual maturities and must mature by December 31, 2047. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution

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for bonds issued on or after July 1, 2015. Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues before authorizing the issuance of bonds under this section.

Section 44. Subsection (1) of section 215.95, Florida Statutes, is amended to read:

215.95 Financial Management Information Board.—

(1) There is created~~, as part of the Administration Commission,~~ the Financial Management Information Board. The board shall be composed of the Governor, the Chief Financial Officer, the Commissioner of Agriculture, and the Attorney General. The Governor shall be chair of the board. The Governor or the Chief Financial Officer may call a meeting of the board at any time the need arises.

Section 45. Subsection (2) of section 216.182, Florida Statutes, is amended to read:

216.182 Approval of fixed capital outlay program plan.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the determination of the program plan by the Executive Office of the Governor pursuant to subsection (1) is contrary to the orderly implementation of legislative authorization shall have the right to have the issue reviewed by the Department of Management Services after a substantial interest hearing by the Division of

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Administrative Hearings ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees of the Legislature may advise the Department of Management Services and the Division of Administrative Hearings ~~Administration Commission~~ on the issue.

Section 46. Subsection (2) of section 216.192, Florida Statutes, is amended to read:

216.192 Release of appropriations; revision of budgets.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the plan for releases of funds appropriated to it is contrary to the approved operating budget shall have the right to have the issue reviewed by the administrative law judge of the Division of Administrative Hearings which shall issue a final order on the issue ~~Administration Commission which shall decide such issue by majority vote~~.

Section 47. Section 259.045, Florida Statutes, is amended to read:

259.045 Purchase of lands in areas of critical state concern; recommendations by department and land authorities.—Within 45 days after the designation of ~~Administration Commission designates~~ an area as an area of critical state concern under s. 380.05, and annually thereafter, the Department of Environmental Protection shall consider the recommendations

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of the state land planning agency pursuant to s. 380.05(1)(a) relating to purchase of lands within an area of critical state concern or lands outside an area of critical state concern that directly impact an area of critical state concern, which may include lands used to preserve and protect water supply, and shall make recommendations to the board with respect to the purchase of the fee or any lesser interest in any such lands that are:

(1) Environmentally endangered lands;

(2) Outdoor recreation lands;

(3) Lands that conserve sensitive habitat;

(4) Lands that protect, restore, or enhance nearshore water quality and fisheries;

(5) Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; or

(6) Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2) or if the parcel is wholly or partially, at the time of acquisition, on one of the board's approved acquisition lists established pursuant to this chapter. For the purposes of this subsection, if a parcel is estimated to be worth $500,000 or less and the director of the Division of State Lands finds that

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the cost of an outside appraisal is not justified, a comparable sales analysis, an appraisal prepared by the Division of State Lands, or other reasonably prudent procedures may be used by the Division of State Lands to estimate the value of the parcel, provided the public's interest is reasonably protected.

The department, a local government, a special district, or a land authority within an area of critical state concern may make recommendations with respect to additional purchases which were not included in the state land planning agency recommendations.

Section 48. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

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2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 49. Paragraphs (b) and (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

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288.975 Military base reuse plans.—

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(b) If resolution of the dispute cannot be achieved within 45 days, the petitioning parties and host local government may extend such dispute resolution for up to 45 days. If resolution of the dispute cannot be achieved with the above timeframes, the issues in dispute shall be submitted to the state land planning agency. If the issues stem from multiple petitions, the mediation shall be consolidated into a single proceeding. The state land planning agency shall have 45 days to hold informal hearings, if necessary, identify the issues in dispute, prepare a record of the proceedings, and provide recommended solutions to the parties. If the parties fail to implement the recommended solutions within 45 days, the state land planning agency shall submit the matter to the Division of Administrative Hearings ~~Administration Commission~~ for final action. The report to the Division of Administrative Hearings ~~Administration Commission~~ shall list each issue in dispute, describe the nature and basis for each dispute, identify the recommended solutions provided to the parties, and make recommendations for actions the Division of Administrative Hearings ~~Administration Commission~~ should take to resolve the disputed issues.

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(d) Within 45 days after receiving the report from the state land planning agency, the Division of Administrative Hearings ~~Administration Commission~~ shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Division of Administrative Hearings ~~Administration Commission~~ shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Division of Administrative Hearings ~~Administration Commission~~ incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government shall amend its plan within 60 days after the issuance of the order. A public hearing on such amendment or amendments pursuant to s. 163.3184(11)(b)1. is not required. The final order of the Division of Administrative Hearings ~~Administration Commission~~ is subject to appeal pursuant to s. 120.68. If the order of the Division of Administrative Hearings ~~Administration Commission~~ is appealed, the time for the local government to amend its plan shall be tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 50. Effective July 1, 2021, subsection (7) of section 316.545, Florida Statutes, is amended to read:

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316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of the state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-

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year term. A vacancy occurring during the term of a member appointed under this paragraph shall be filled only for the remainder of the unexpired term. Members of the board appointed under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within the state. As an alternative to physical appearance, and in addition to any other method of appearance authorized by rule, the Department of Transportation shall provide space and video conference capability at each

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district office to enable a person requesting a hearing to appear remotely before the board, regardless of the physical location of the board proceeding.

Section 51. Effective July 1, 2021, subsections (1) and (2) of section 320.275, Florida Statutes, are amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(1) AUTOMOBILE DEALERS INDUSTRY ADVISORY BOARD.—The Automobile Dealers Industry Advisory Board is created within the Department of Highway Safety and Motor Vehicles. The board shall make recommendations on proposed legislation, make recommendations on proposed rules and procedures, present licensed motor vehicle dealer industry issues to the department for its consideration, consider any matters relating to the motor vehicle dealer industry presented to it by the department, and submit an annual report to the secretary ~~executive director~~ of the department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety

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and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The secretary ~~executive director~~ shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.

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2. The secretary ~~executive director~~ shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the department.

3. As the initial terms expire, the secretary ~~executive director~~ shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.

4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.

(c) The board shall meet at least two times per year. Meetings may be called by the chair of the board or by the secretary ~~executive director~~ of the department. One meeting shall be held in the fall of the year to review legislative proposals. The board shall conduct all meetings in accordance with applicable Florida Statutes and shall keep minutes of all meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations.

Section 52. Effective July 1, 2021, subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

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(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. Every member but two must be a doctor of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 53. Section 331.353, Florida Statutes, is amended to read:

331.353 Rulemaking authority. ~~The Administration Commission and~~ State agencies shall have authority to adopt rules containing procedures for review of spaceport plans and

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amendments and development orders for projects applied for or issued under this act.

Section 54. Paragraph (b) of subsection (5) of section 336.025, Florida Statutes, is amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(5)

(b) Any dispute as to the determination by the county of distribution proportions shall be resolved through an appeal to the Division of Administrative Hearings ~~Administration Commission~~ in accordance with procedures developed by the Division of Administrative Hearings ~~commission~~. Pending final disposition of such proceeding, the tax shall be collected pursuant to this section, and such funds shall be held in escrow by the clerk of the circuit court of the county until final disposition.

Section 55. Subsection (1) of section 337.243, Florida Statutes, is amended to read:

337.243 Notification of land use changes in designated transportation corridors.—

(1) If a local government designates a transportation corridor that includes a facility on the State Highway System in its local government comprehensive plan and has adopted a transportation corridor management ordinance, the local governmental entity shall give reasonable notice by certified

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mail to the department prior to approving any substantial zoning change or subdivision plat changes or granting of a building permit or development permit, as defined in s. 380.031(3) ~~s. 380.031(4)~~, for land use or the erection, alteration, or moving of a building for property within the designated transportation corridor which would substantially impair the viability of the corridor for future transportation uses. This notification requirement shall not apply to any routine maintenance or emergency repairs to existing structures. Upon notification, the department shall determine whether to purchase the property affected or to initiate eminent domain proceedings. The department's determination shall not affect the granting or denial of the permit by the local government. The local government shall not be liable to the department for failure to make notification to the department pursuant to this section.

Section 56. Subsections (3) and (4) of section 369.305, Florida Statutes, are amended to read:

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(3) If the department determines that the local comprehensive plan and land development regulations as amended or supplemented comply with the provisions of subsection (1), the department shall petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to confirm its determination.

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If the department determines that the amendments and any new land development regulations that a county has adopted do not meet the criteria established in subsection (1), or the department receives no amendments or new land development regulations and determines that the county's existing local comprehensive plan and land development regulations do not comply with the provisions of subsection (1), the department shall petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to order the county to adopt such amendments to its local comprehensive plan or land development regulations or such new land development regulations as it deems necessary to meet the criteria in subsection (1). A determination or petition made by the department pursuant to this subsection shall not be final agency action.

(4) The Department of Economic Opportunity ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission,~~ shall render an order on the petition. Any local government comprehensive plan amendments directly related to the requirements of this subsection and subsections (1), (2), and (3) may be initiated by a local planning agency and considered by the local governing body without regard to statutory or local ordinance limitations on the frequency of consideration of amendments to local comprehensive plans.

Section 57. Section 373.114, Florida Statutes, is amended to read:

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373.114 ~~Land and Water Adjudicatory Commission;~~ Review of district rules and orders; department review of district rules.—

(1) Except as provided in subsection (2), the department has ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission, have~~ the exclusive authority to review any order or rule of a water management district, other than a rule relating to an internal procedure of the district or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57 or a rule that has been adopted after issuance of a final order resulting from an evidentiary hearing held under s. 120.56, to ensure consistency with the provisions and purposes of this chapter. Subsequent to the legislative ratification of the delineation methodology pursuant to s. 373.421(1), this subsection also shall apply to an order of ~~the department, or~~ a local government exercising delegated authority, pursuant to ss. 373.403-373.443, except an order pertaining to activities or operations subject to conceptual plan approval pursuant to chapter 378 or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57.

(a) Such review may be initiated by the department or by a party to the proceeding below by filing a request for review with the department ~~Land and Water Adjudicatory Commission~~ and serving a copy ~~on the department and~~ on any person named in the rule or order within 20 days after adoption of the rule or the rendering of the order. For the purposes of this section, the

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term "party" means any affected person who submitted oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the rule or order that are cognizable within the scope of the provisions and purposes of this chapter. In order for the department ~~commission~~ to accept a request for review initiated by a party below, with regard to a specific order, the department ~~three members of the commission~~ must determine on the basis of the record below that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. Review of an order may also be accepted if the department determines ~~three members of the commission determine~~ that the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from the standpoint of agency precedent. The party requesting the department ~~commission~~ to review an order must allege with particularity, and the department ~~commission~~ must find, that:

1. The order is in conflict with statutory requirements; or

2. The order is in conflict with the requirements of a duly adopted rule.

(b) Review by the department ~~Land and Water Adjudicatory Commission~~ is appellate in nature and shall be based solely on the record below unless the department ~~commission~~ determines

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that a remand for a formal evidentiary proceeding is necessary to develop additional findings of fact. If there is no evidentiary administrative proceeding resulting from a remand or referral for findings of fact by the department ~~commission~~, then the facts contained in the proposed agency action or proposed water management district action, including any technical staff report, shall be deemed undisputed. The matter shall be heard by the department c~~ommission~~ not more than 60 days after receipt of the request for review, unless waived by the parties; provided, however, such time limit shall be tolled by a referral or remand pursuant to this paragraph. The department ~~commission~~ may refer a request for review to the Division of Administrative Hearings for the production of findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Alternatively, the department ~~commission~~ may remand the matter to the agency below for additional findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Such proceedings must be conducted and the findings transmitted to the department

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~~commission~~ within 90 days of the remand or referral.

(c) If the department ~~Land and Water Adjudicatory Commission~~ determines that a rule of a water management district is not consistent with the provisions and purposes of this chapter, it may require the water management district to initiate rulemaking proceedings to amend or repeal the rule. If the department ~~commission~~ determines that an order is not consistent with the provisions and purposes of this chapter, the department ~~commission~~ may rescind or modify the order or remand the proceeding for further action consistent with the order of the department ~~Land and Water Adjudicatory Commission~~ only if the department ~~commission~~ determines that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. In the case of an order which does not itself substantially affect natural resources of statewide or regional significance, but which raises issues of policy that have regional or statewide significance from the standpoint of agency precedent, the department ~~commission~~ may direct the district to initiate rulemaking to amend its rules to assure that future actions are consistent with the provisions and purposes of this chapter without modifying the order.

(d) In a review under this section of a construction permit issued pursuant to a conceptual permit under part IV, which conceptual permit is issued after July 1, 1993, a party to

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the review may not raise an issue which was or could have been raised in a review of the conceptual permit under this section.

(e) A request for review under this section shall not be a precondition to the seeking of judicial review pursuant to s. 120.68 or the seeking of an administrative determination of rule validity pursuant to s. 120.56.

(f) The department ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules to set forth its procedures for reviewing an order or rule of a water management district consistent with the provisions of this section.

(g) For the purpose of this section, it shall be presumed that activity authorized by an order will not affect resources of statewide or regional significance if the proposed activity:

1. Occupies an area less than 10 acres in size, and

2. Does not create impervious surfaces greater than 2 acres in size, and

3. Is not located within 550 feet of the shoreline of a named body of water designated as Outstanding Florida Waters, and

4. Does not adversely affect threatened or endangered species.

This paragraph shall not operate to hold that any activity that exceeds these limits is presumed to affect resources of statewide or regional significance. The determination of whether

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an activity will substantially affect resources of statewide or regional significance shall be made on a case-by-case basis, based upon facts contained in the record below.

(2) The department shall have the exclusive authority to review rules of the water management districts, other than rules relating to internal management of the districts, to ensure consistency with the water resource implementation rule as set forth in the rules of the department. Within 30 days after adoption or revision of any water management district rule, the department shall initiate a review of such rule pursuant to this section.

(a) Within 30 days after adoption of a rule, any affected person may request that a hearing be held before the secretary of the department, at which hearing evidence and argument may be presented relating to the consistency of the rule with the water resource implementation rule, by filing a request for hearing with the department and serving a copy on the water management district.

(b) If the department determines that the rule is inconsistent with the water resource implementation rule, it may order the water management district to initiate rulemaking proceedings to amend or repeal the rule.

(c) An order of the department requiring amendment or repeal of a rule may be appealed pursuant to s. 120.68 ~~to the Land and Water Adjudicatory Commission~~ by the water management

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district or any other party to the proceeding before the secretary.

Section 58. Paragraph (c) of subsection (3) of section 373.139, Florida Statutes, is amended to read:

373.139 Acquisition of real property.—

(3) The initial 5-year work plan and any subsequent modifications or additions thereto shall be adopted by each water management district after a public hearing. Each water management district shall provide at least 14 days' advance notice of the hearing date and shall separately notify each county commission within which a proposed work plan project or project modification or addition is located of the hearing date.

(c) The Secretary of Environmental Protection shall release acquisition moneys from the appropriate account or trust fund to a district following receipt of a resolution adopted by the governing board identifying the lands being acquired and certifying that such acquisition is consistent with the 5-year work plan of acquisition and other provisions of this section. The governing board also shall provide to the Secretary of Environmental Protection a copy of all certified appraisals used to determine the value of the land to be purchased. Each parcel to be acquired must have at least one appraisal. Two appraisals are required when the estimated value of the parcel exceeds $1 million. However, when both appraisals exceed $1 million and differ significantly, a third appraisal may be obtained. If the

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purchase price is greater than the appraisal price, the governing board shall submit written justification for the increased price. The Secretary of Environmental Protection may withhold moneys for any purchase that is not consistent with the 5-year plan or the intent of this section or that is in excess of appraised value. The governing board may appeal any denial to the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission pursuant to s. 373.114~~.

Section 59. Subsection (1) of section 373.217, Florida Statutes, is amended to read:

373.217 Superseded laws and regulations.—

(1) It is the intent of the Legislature to provide a means whereby reasonable programs for the issuance of permits authorizing the consumptive use of particular quantities of water may be authorized by the Department of Environmental Protection, subject to judicial review and also subject to review ~~by the Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission~~ as provided in s. 373.114.

Section 60. Subsections (11) and (13) of section 373.2295, Florida Statutes, are amended to read:

373.2295 Interdistrict transfers of groundwater.—

(11) If, after the final order of the department or final agency action under this section, the proposed use of the site designated in the application for groundwater production, treatment, or transmission facilities does not conform with the

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existing zoning ordinances, a rezoning application may be submitted. If local authorities deny the application for rezoning, the applicant may appeal this decision to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~, which shall authorize a variance or nonconforming use to the existing comprehensive plan and zoning ordinances, unless the Department of Economic Opportunity ~~commission~~ determines after notice and hearing that such variance or nonconforming use is contrary to the public interest.

(13) When a consumptive use permit under this section is granted for water use beyond the boundaries of a local government from which or through which the groundwater is withdrawn or transferred and a local government denies a permit required under chapter 125 or chapter 153 for a facility or any infrastructure which produces, treats, transmits, or distributes such groundwater, the person or unit of government applying for the permit under chapter 125 or chapter 153 may appeal the denial to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~. The Department of Economic Opportunity ~~commission~~ shall review the local government action for consistency with this chapter and the interdistrict groundwater transfer permit and may reverse, modify, or approve the local government's action.

Section 61. Paragraph (b) of subsection (1) of section 373.4275, Florida Statutes, is amended to read:

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373.4275 Review of consolidated orders.—

(1) Beginning on the effective date of the rules adopted under s. 373.427(1), review of any consolidated order rendered pursuant to s. 373.427(1) shall be governed by the provisions of s. 373.114(1). However, the term "party" shall mean any person who participated as a party in a proceeding under ss. 120.569 and 120.57 on the concurrently reviewed authorizations, permits, waivers, variances, or approvals, or any affected person who submitted to the department, water management district, or board of trustees oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the authorization, permit, waiver, variance, or approval, provided that such testimony was cognizable within the scope of this chapter or the applicable provisions of chapter 161, chapter 253, or chapter 258 when the consolidated notice of intent includes an authorization, permit, waiver, variance, or approval under those chapters. In such cases, the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161, chapter 253, or chapter 258 when the consolidated order includes an authorization, permit, waiver, variance, or approval under those chapters. If the consolidated order subject to review includes approval or denial of proprietary authorization to use submerged lands on which the board of trustees has previously acted, as described in s. 373.427(2), the scope of review under this section shall

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not encompass such proprietary decision, but the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161 when the consolidated order includes a permit, waiver, or approval under that chapter.

(b) If a consolidated order includes proprietary authorization under chapter 253 or chapter 258 to use submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund for an activity for which the authority has been delegated to take final agency action without action of the board of trustees, the following additional provisions and exceptions to s. 373.114(1) apply:

1. The Governor and Cabinet shall sit ~~concurrently~~ as ~~the Land and Water Adjudicatory Commission and~~ the Board of Trustees of the Internal Improvement Trust Fund in exercising the exclusive authority to review the order;

2. The review may also be initiated by the Governor or any member of the Cabinet within 20 days after the rendering of the order in which case the other provisions of s. 373.114(1)(a) regarding acceptance of a request for review do not apply; and

3. If the Governor and Cabinet find that an authorization to use submerged lands is not consistent with chapter 253 or chapter 258, any authorization, permit, waiver, or approval authorized or granted by the consolidated order must be rescinded or modified or the proceeding must be remanded for further action consistent with the order issued under this

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section.

Section 62. Subsection (6) of section 373.703, Florida Statutes, is amended to read:

373.703 Water production; general powers and duties.—In the performance of, and in conjunction with, its other powers and duties, the governing board of a water management district existing pursuant to this chapter:

(6) May provide water and financial assistance to regional water supply authorities, but may not provide water to counties and municipalities which are located within the area of such authority without the specific approval of the authority or, in the event of the authority's disapproval, the approval of the Governor and Cabinet ~~sitting as the Land and Water Adjudicatory Commission~~. The district may supply water at rates and upon terms mutually agreed to by the parties or, if they do not agree, as set by the governing board and specifically approved by the department ~~Governor and Cabinet sitting as the Land and Water Adjudicatory Commission~~.

Section 63. Paragraph (c) of subsection (1) of section 377.2425, Florida Statutes, is amended to read:

377.2425 Manner of providing security for geophysical exploration, drilling, and production.—

(1) Prior to granting a permit to conduct geophysical operations; drilling of exploratory, injection, or production wells; producing oil and gas from a wellhead; or transporting

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oil and gas through a field-gathering system, the department shall require the applicant or operator to provide surety that these operations will be conducted in a safe and environmentally compatible manner.

(c) An applicant for a drilling or operating permit for operations planned in coastal waters that by their nature warrant greater surety shall provide surety only in accordance with paragraph (a), or similar proof of financial responsibility other than as provided in paragraph (b). For all such applications, including applications pending at the effective date of this act and notwithstanding the provisions of paragraph (b), ~~the Governor and Cabinet in their capacity as the Administration Commission, at the recommendation of~~ the Department of Environmental Protection~~,~~ shall set a reasonable amount of surety required under this subsection. The surety amount shall be based on the projected cleanup costs and natural resources damages resulting from a maximum oil spill and adverse hydrographic and atmospheric conditions that would tend to transport the oil into environmentally sensitive areas, as determined by the Department of Environmental Protection.

Section 64. Subsection (1) of section 380.031, Florida Statutes, is amended to read:

380.031 Definitions.—As used in this chapter:

~~(1) "Administration commission" or "commission" means the Governor and the Cabinet; and for purposes of this chapter the~~

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~~commission shall act on a simple majority.~~

Section 65. Paragraph (b) of subsection (2) of section 380.032, Florida Statutes, is amended to read:

380.032 State land planning agency; powers and duties.—The state land planning agency shall have the power and the duty to:

(2)

(b) Within 20 days following adoption, any substantially affected party may initiate review of any rule adopted by the state land planning agency interpreting the guidelines and standards by filing a request for review with the Division of Administrative Hearings ~~Administration Commission~~ and serving a copy on the state land planning agency. Filing a request for review shall stay the effectiveness of the rule pending a decision by the Division of Administrative Hearings ~~Administration Commission~~. Within 45 days following receipt of a request for review, the Division of Administrative Hearings ~~commission~~ shall either reject the rule or approve the rule, with or without modification.

Section 66. Subsections (3), (4), and (5) of section 380.045, Florida Statutes, are amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(3) Not later than 12 months after its appointment by the Governor, the committee shall either adopt a proposed voluntary resource planning and management program for the area under

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study or recommend that a voluntary resource planning and management program not be adopted. The proposed voluntary resource planning and management program shall contain the committee findings with respect to problems that endanger those resources, facilities, and areas described in s. 380.05(2) and shall contain detailed recommendations for state, regional, and local governmental actions necessary to resolve current and prevent future problems identified by the committee. A major objective of the proposed voluntary resource planning and management program shall be the effective coordination of state, regional, and local planning; program implementation; and regulatory activities for comprehensive resource management. The committee shall submit the proposed voluntary resource planning and management program to the head of the state land planning agency at the Department of Economic Opportunity~~, who shall transmit the program along with the recommendations of the agency for monitoring and enforcing the program, as well as any other recommendations deemed appropriate, to the Administration Commission~~.

(4) The Department of Economic Opportunity ~~Administration Commission~~ shall by resolution approve, approve as modified, or reject the proposed voluntary resource planning and management program and state land planning agency recommendations; and the Department of Economic Opportunity ~~Administration Commission~~ shall request each state or regional agency that is responsible

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for implementing a portion of an approved program to conduct its programs and regulatory activities in a manner consistent with the approved program. Each state and regional agency involved in implementing the program shall cooperate to the maximum extent possible in ensuring that the program is given full effect.

(5) The state land planning agency shall monitor ~~report to the Administration Commission within 12 months of the approval of the program by the commission concerning~~ the implementation and the effects of the approved voluntary resource planning and management program, which~~. The report~~ shall include, but shall not be limited to:

(a) An assessment of state agency compliance with the program, including the degree to which the program recommendations have been integrated into agency planning, program implementation, regulatory activities, and rules;

(b) An assessment of the compliance by each affected local government with the program;

(c) An evaluation of state, regional, and local monitoring and enforcement activities and recommendations for improving such activities; and

(d) A determination ~~recommendation~~ as to whether ~~or not~~ all or any portion of the study area should be designated an area of critical state concern pursuant to s. 380.05.

The state land planning agency may engage in additional

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monitoring ~~make such other reports to the commission~~ as it deems necessary, including determining ~~recommending~~ that all or any portion of the study area be designated an area of critical state concern because of special circumstances in the study area or in the implementation of the approved voluntary resource planning and management program.

Section 67. Subsections (1), (3), (4), (5), (8), (9), (10), (11), (12), (15), and (22) of section 380.05, Florida Statutes, are amended to read:

380.05 Areas of critical state concern.—

(1)(a) The state land planning agency may from time to time determine ~~recommend to the Administration Commission~~ specific areas of critical state concern. In its determination ~~recommendation~~, the agency shall include recommendations and findings with respect to the purchase of lands situated within the boundaries of the proposed area as environmentally endangered lands and outdoor recreation lands under the Land Conservation Program. The agency also shall include any report or recommendation of a resource planning and management committee appointed pursuant to s. 380.045; the dangers that would result from uncontrolled or inadequate development of the area and the advantages that would be achieved from the development of the area in a coordinated manner; a detailed boundary description of the proposed area; specific principles for guiding development within the area; an inventory of lands

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owned by the state, federal, county, and municipal governments within the proposed area; and a list of the state agencies with programs that affect the purpose of the designation. The agency shall recommend actions which the local government and state and regional agencies must accomplish in order to implement the principles for guiding development. These actions may include, but need not be limited to, revisions of the local comprehensive plan and adoption of land development regulations, density requirements, and special permitting requirements.

(b) Within 45 days following completion of its determination ~~receipt of a recommendation from the agency~~, the Department of Economic Opportunity ~~commission~~ shall either reject the determination ~~recommendation~~ as tendered or adopt the determination ~~recommendation~~ with or without modification and by rule designate the area of critical state concern. Any rule that designates an area of critical state concern must include:

1. A detailed boundary description of the area.

2. Principles for guiding development.

3. A clear statement of the purpose for the designation.

4. A precise checklist of actions which, when implemented, will result in repeal of the designation by the Department of Economic Opportunity ~~Administration Commission~~, and the agencies or entities responsible for taking those actions.

5. A list of those issues or programs for which mechanisms must be in place to assure ongoing implementation of the actions

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taken to result in repeal of the designation.

6. A list of the state agencies which, in addition to those specified in subsection (22), administer programs that affect the purpose of the designation.

The rule shall become effective 20 days after being filed with the Secretary of State, except that an emergency rule adopted by the Department of Economic Opportunity ~~commission~~ and designating an area of critical state concern shall become effective immediately on being filed. Any rule adopted pursuant to this paragraph shall be presented to the Legislature for review pursuant to paragraph (c). A statement of estimated regulatory costs prepared pursuant to s. 120.541 shall not be a ground for a challenge of the rule; however, a landowner shall not be precluded from using adverse economic results as grounds for challenge. Such principles for guiding development shall apply to any development undertaken subsequent to the legislative review pursuant to paragraph (c) of the designation of the area of critical state concern with or without modification but prior to the adoption of land development rules and regulations or a local comprehensive plan for the critical area pursuant to subsections (6) and (8). No boundaries or principles for guiding development shall be adopted without a specific finding by the department ~~commission~~ that the boundaries or principles are consistent with the purpose of the

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designation. The department ~~commission~~ is not authorized to adopt any rule that would provide for a moratorium on development in any area of critical state concern.

(c) A rule adopted by the department ~~commission~~ pursuant to paragraph (b) designating an area of critical state concern and principles for guiding development shall be submitted to the President of the Senate and the Speaker of the House of Representatives for review no later than 30 days prior to the next regular session of the Legislature. The Legislature may reject, modify, or take no action relative to the adopted rule. In its deliberations, the Legislature may consider, among other factors, whether a resource planning and management committee has established a program pursuant to s. 380.045. In addition to any other data and information required pursuant to this chapter, each rule presented to the Legislature shall include a detailed legal description of the boundary of the area of critical state concern, proposed principles for guiding development, and a detailed statement of how the area meets the criteria for designation as provided in subsection (2).

(d) If, after the repeal of the boundary designation of an area of critical state concern pursuant to subsection (15), the state land planning agency determines that the administration of the local land development regulations or a local comprehensive plan within a formerly designated area is inadequate to protect the former area of critical state concern, then the state land

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planning agency may redesignate it ~~recommend to the commission that the area be redesignated~~ as an area of critical state concern. ~~Within 45 days following the receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the same with or without modification.~~ The Department of Economic Opportunity ~~commission~~ may, by rule, make such redesignation effective immediately, at which time the boundaries, regulations, and plans in effect at the time the previous designation was repealed shall be reinstated. Within 90 days of such redesignation, the department ~~commission~~ shall begin rulemaking procedures to designate the area an area of critical state concern under paragraph (b).

(3) Each regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. Each regional planning agency shall solicit from the local governments within its jurisdiction suggestions as to areas to be recommended. A local government in an area where there is no regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. If the state land planning agency does not recommend to the department

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~~commission~~ as an area of critical state concern an area substantially similar to one that has been recommended, it shall respond in writing as to its reasons therefor.

(4) Prior to making a determination ~~submitting any recommendation to the commission~~ under subsection (1), the state land planning agency shall give notice to any committee appointed pursuant to s. 380.045 and to all local governments and regional planning agencies that include within their boundaries any part of any area of critical state concern proposed to be designated by the rule, in addition to any notice otherwise required under chapter 120.

(5) After the Department of Economic Opportunity ~~commission~~ adopts a rule designating the boundaries of, and principles for guiding development in, an area of critical state concern and within 180 days of such adoption, the local government having jurisdiction may submit to the state land planning agency its existing land development regulations and local comprehensive plan for the area, if any, or shall prepare, adopt, and submit the new or modified regulations and plan, the local government taking into consideration the principles set forth in the rule designating the area.

(8) If any local government fails to submit land development regulations or a local comprehensive plan, or if the regulations or plan or plan amendment submitted do not comply with the principles for guiding development set out in the rule

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designating the area of critical state concern, within 120 days after the adoption of the rule designating an area of critical state concern, or within 120 days after the issuance of a recommended order on the compliance of the plan or plan amendment pursuant to s. 163.3184, or within 120 days after the effective date of an order rejecting a proposed land development regulation, the state land planning agency shall determine ~~submit to the commission recommended~~ land development regulations and a local comprehensive plan or portions thereof, with or without modification, applicable to that local government's portion of the area of critical state concern. ~~Within 45 days following receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the recommendation with or without modification, and by rule establish land development regulations and a local comprehensive plan applicable to that local government's portion of the area of critical state concern.~~ However, such rule shall not become effective prior to legislative review of an area of critical state concern pursuant to paragraph (1)(c). In the rule, the Department of Economic Opportunity ~~commission~~ shall specify the extent to which its land development regulations, plans, or plan amendments will supersede, or will be supplementary to, local land development regulations and plans. Notice of any proposed rule issued under this section shall be given to all local governments and

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regional planning agencies in the area of critical state concern, in addition to any other notice required under chapter 120. The land development regulations and local comprehensive plan adopted by the Department of Economic Opportunity ~~commission~~ under this section may include any type of regulation and plan that could have been adopted by the local government. Any land development regulations or local comprehensive plan or plan amendments adopted by the Department of Economic Opportunity ~~commission~~ under this section shall be administered by the local government as part of, or in the absence of, the local land development regulations and local comprehensive plan.

(9) If, within 12 months after the Department of Economic Opportunity ~~commission~~ adopts a rule designating an area of critical state concern, land development regulations or local comprehensive plans for the area have not become effective under either subsection (6) or subsection (8), the designation of the area as an area of critical state concern terminates. No part of such area may be recommended for redesignation until at least 12 months after the date the designation terminates pursuant to this subsection. The running of the 12-month period subsequent to the initial designation shall be tolled upon challenge pursuant to the provisions of chapter 120 to either the designation of the area of critical state concern or the adoption of land development regulations and local comprehensive plans under subsection (6) or subsection (8).

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(10) At any time after the adoption of land development regulations and plans by the Department of Economic Opportunity ~~commission~~ under this section, a local government may propose land development regulations or a local comprehensive plan which, if approved by the state land planning agency as provided in subsection (6), will supersede any regulations or plans adopted under subsection (8).

(11) Land development regulations or a local comprehensive plan submitted by a local government in an area of critical state concern and approved pursuant to subsection (6) may be amended or rescinded by the local government, but the amendment or rescission becomes effective only upon approval thereof by the state land planning agency. The state land planning agency shall either approve or reject the requested changes within 60 days of receipt thereof. Land development regulations or local comprehensive plans for an area of critical state concern adopted by the Department of Economic Opportunity ~~commission~~ under subsection (8) may be amended or rescinded by rule by the Department of Economic Opportunity ~~commission~~ in the same manner as for original adoption.

(12) Upon the request of a substantially interested person pursuant to s. 120.54(7), a local government or regional planning agency within the designated area, or the state land planning agency, the Department of Economic Opportunity ~~commission~~ may by rule remove, contract, or expand any

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designated boundary. Boundary expansions are subject to legislative review pursuant to paragraph (1)(c). No boundary may be modified without a specific finding by the Department of Economic Opportunity ~~commission~~ that such changes are consistent with necessary resource protection. The total boundaries of an entire area of critical state concern shall not be removed by the Department of Economic Opportunity ~~commission~~ unless a minimum time of 1 year has elapsed from the adoption of regulations and a local comprehensive plan pursuant to subsection (1), subsection (6), subsection (8), or subsection (10). Before totally removing such boundaries, the Department of Economic Opportunity ~~commission~~ shall make findings that the regulations and plans adopted pursuant to subsection (1), subsection (6), subsection (8), or subsection (10) are being effectively implemented by local governments within the area of critical state concern to protect the area and that adopted local government comprehensive plans within the area have been conformed to principles for guiding development for the area.

(15) Any rule adopted pursuant to this section designating the boundaries of an area of critical state concern and the principles for guiding development therein shall be repealed by the Department of Economic Opportunity ~~commission~~ no earlier than 12 months and no later than 3 years after approval by the state land planning agency or adoption by the Department of Economic Opportunity ~~commission~~ of all land development

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regulations and local comprehensive plans pursuant to subsection (6), subsection (8), or subsection (10), and the implementation of all the actions listed in the designation rule for repeal of the designation. Any repeal pursuant to this subsection may be limited to any portion of the area of critical state concern. The repeal must be contingent upon approval by the state land planning agency of local land development regulations and plans pursuant to subsection (6) or subsection (10) and upon such regulations and plans being effective for a period of 12 months.

(22) All state agencies with rulemaking authority for programs that affect a designated area of critical state concern shall review those programs for consistency with the purpose of the designation and principles for guiding development, and shall adopt specific permitting standards and criteria applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.

(a)1. Within 6 months after the effective date of the rule or statute that designates an area of critical state concern, and at any time thereafter as directed by the Department of Economic Opportunity ~~Administration Commission~~, the Department of Environmental Protection, the Department of Health, the water management districts with jurisdiction over any portion of the area of critical state concern, and any other state agency specified in the designation rule, shall each submit a report to the Department of Economic Opportunity ~~Administration~~

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~~Commission, and a copy of the report to the state land planning agency~~. The report shall evaluate the effect of the reporting agency's programs upon the purpose of the designation.

2. If different permitting standards or criteria, or other changes to the program, are necessary in order to further the purpose of the designation, the report shall recommend rules which further that purpose and which are consistent with the principles for guiding development. The report shall explain and justify the reasons for any different permitting standards or criteria that may be recommended. The Department of Economic Opportunity ~~commission~~ shall reject the agency's recommendation, or accept it with or without modification and direct the agency to adopt rules, including any changes. Any rule adopted pursuant to this paragraph shall be consistent with the principles for guiding development, and shall apply only within the boundary of the designated area. The agency shall file a copy of the adopted rule with the Department of Economic Opportunity ~~Administration Commission~~ and the state land planning agency.

3. If statutory changes are required in order to implement the permitting standards or criteria that are necessary to further the purpose of the designation, the report shall recommend statutory amendments. The Department of Economic Opportunity ~~Administration Commission~~ shall submit any report that recommends statutory amendments to the President of the Senate and the Speaker of the House of Representatives, together

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with the department's ~~Administration Commission's~~ recommendation on the proposed amendments.

(b) The Department of Economic Opportunity ~~Administration Commission~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this subsection.

Section 67. Subsections (3) and (4) of section 380.055, Florida Statutes, are amended to read:

380.055 Big Cypress Area.—

(3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The "Big Cypress Area," as defined in this subsection, is hereby designated as an area of critical state concern. "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Freshwater Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the Board of Trustees of the Internal Improvement Trust Fund, which is the area proposed as the Federal Big Cypress National Freshwater Reserve, Florida, and that area described as follows: Sections 1, 2, 11, 12 and 13 in Township 49 South, Range 31 East; and Township 49 South, Range 32 East, less Sections 19, 30 and 31; and Township 49 South, Range 33 East; and Township 49 South, Range 34 East; and Sections 1 through 5 and 10 through 14 in Township 50 South,

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Range 32 East; and Sections 1 through 18 and 20 through 25 in Township 50 South, Range 33 East; and Township 50 South, Range 34 East, less Section 31; and Sections 1 and 2 in Township 51 South, Range 34 East; All in Collier County, Florida, which described area shall be known as the "Big Cypress National Preserve Addition, Florida," together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of South Florida, or the freshwater aquifer of South Florida, the definitive boundaries of which shall be set in the following manner: Within 120 days following the effective date of this act, the state land planning agency shall determine ~~recommend~~ definitive boundaries for the Big Cypress Area ~~to the Administration Commission,~~ after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the area proposed to be included in the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within 45 days after the conclusion of such hearings ~~following receipt of the recommended boundaries~~, the Department of Economic Opportunity ~~Administration Commission~~ shall adopt, modify, or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

(4) ADOPTION OF LAND DEVELOPMENT REGULATIONS.—The provisions of s. 380.05(5)-(11), (17), and (20) shall not apply

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to the Big Cypress Area. All other provisions of this chapter shall apply to the Big Cypress Area. Any provision of this chapter to the contrary notwithstanding, the state land planning agency has the right, and its duty shall be, to determine the ~~submit recommended~~ land development regulations applicable to the Big Cypress Area ~~to the Administration Commission~~ concurrent with the boundaries determined ~~recommended~~ pursuant to subsection (3). The Department of Economic Opportunity may adopt such determination ~~Administration Commission shall either reject the recommendation as tendered or adopt the same~~ by rule with or without modification. The Department of Economic Opportunity ~~commission~~ shall specify the extent to which regulations adopted pursuant to this section supersede local land development regulations.

Section 68. Subsection (4) and paragraph (b) of subsection (9) of section 380.0552, Florida Statutes, are amended to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—

(a) The designation of the Florida Keys Area as an area of critical state concern under this section may be recommended for removal upon fulfilling the legislative intent under subsection (2) and completion of all the work program tasks specified in rules of the Department of Economic Opportunity ~~Administration Commission~~.

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(b) ~~Beginning November 30, 2010,~~ The state land planning agency shall annually submit a written report to the Governor ~~Administration Commission~~ describing the progress of the Florida Keys Area toward completing the work program tasks specified in the Department of Economic Opportunity's ~~commission~~ rules. The land planning agency shall recommend removing the Florida Keys Area from being designated as an area of critical state concern to the Governor ~~commission~~ if it determines that:

1. All of the work program tasks have been completed, including construction of, operation of, and connection to central wastewater management facilities pursuant to s. 403.086(11) and upgrade of onsite sewage treatment and disposal systems pursuant to s. 381.0065(4)(l);

2. All local comprehensive plans and land development regulations and the administration of such plans and regulations are adequate to protect the Florida Keys Area, fulfill the legislative intent specified in subsection (2), and are consistent with and further the principles guiding development; and

3. A local government has adopted a resolution at a public hearing recommending the removal of the designation.

(c) After receipt of the state land planning agency report and recommendation, the Governor ~~Administration Commission~~ shall determine whether the requirements have been fulfilled and may remove the designation of the Florida Keys as an area of

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critical state concern. If the Governor ~~commission~~ removes the designation, the Department of Economic Opportunity ~~it~~ shall initiate rulemaking to repeal any rules relating to such designation within 60 days. If, after receipt of the state land planning agency's report and recommendation, the Governor ~~commission~~ finds that the requirements for recommending removal of designation have not been met, the Department of Economic Opportunity ~~commission~~ shall provide a written report to the local governments within 30 days after the Governor makes ~~making~~ such a finding detailing the tasks that must be completed by the local government.

(d) The Governor's ~~Administration Commission's~~ determination concerning the removal of the designation of the Florida Keys as an area of critical state concern may be reviewed pursuant to chapter 120. All proceedings shall be conducted by the Division of Administrative Hearings and must be initiated within 30 days after the Governor ~~commission~~ issues his or her ~~its~~ determination.

(e) After removal of the designation of the Florida Keys as an area of critical state concern, the state land planning agency shall review proposed local comprehensive plans, and any amendments to existing comprehensive plans, which are applicable to the Florida Keys Area, the boundaries of which were described in chapter 28-29, Florida Administrative Code, as of January 1, 2006, for compliance as defined in s. 163.3184. All procedures

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and penalties described in s. 163.3184 apply to the review conducted pursuant to this paragraph.

(f) The Department of Economic Opportunity ~~Administration Commission~~ may adopt rules or revise existing rules as necessary to administer this subsection.

(9) MODIFICATION TO PLANS AND REGULATIONS.—

(b) The state land planning agency, after consulting with the appropriate local government, may, no more than once per year, recommend to the Governor ~~Administration Commission~~ the enactment, amendment, or rescission of a land development regulation or element of a local comprehensive plan. Within 45 days following the receipt of such recommendation, the Governor ~~commission~~ shall reject the recommendation, or accept it with or without modification and the Department of Economic Opportunity shall adopt it by rule, including any changes. Such local development regulation or plan must be in compliance with the principles for guiding development.

Section 69. Subsections (4) and (9) and paragraph (f) of subsection (10) of section 380.0555, Florida Statutes, are amended to read:

380.0555 Apalachicola Bay Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—The state land planning agency may recommend to the Governor ~~Administration Commission~~ the removal of the designation from all or part of the area

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specified in subsection (3), if it determines that all local land development regulations and local comprehensive plans and the administration of such regulations and plans are adequate to protect the Apalachicola Bay Area, continue to carry out the legislative intent set forth in subsection (2), and are in compliance with the principles for guiding development set forth in subsection (7). If the Governor ~~Administration Commission~~ concurs with the recommendations of the state land planning agency to remove any area from the designation, the Department of Economic Opportunity ~~it~~ shall, within 45 days after receipt of the recommendation, initiate rulemaking to remove the designation. The state land planning agency shall make recommendations to the Governor ~~Administration Commission~~ annually.

(9) MODIFICATION TO PLANS AND REGULATIONS.—Any land development regulation or element of a local comprehensive plan in the Apalachicola Bay Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon the approval thereof by the state land planning agency. The state land planning agency shall review the proposed change to determine if it complies with the principles for guiding development specified in subsection (7) and must approve or reject the requested change as provided in s. 380.05. Further, the state land planning agency, after consulting with the appropriate local

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government, may, from time to time, determine ~~recommend~~ the enactment, amendment, or rescission of a land development regulation or element of a comprehensive plan. Within 45 days following the determination ~~receipt of such recommendation~~ by the state land planning agency or enactment, amendment, or rescission by a local government the Department of Economic Opportunity ~~commission~~ shall reject the determination ~~recommendation~~, enactment, amendment, or rescission or accept it with or without modification and adopt, by rule, any changes. Any such local land development regulation or comprehensive plan or part of such regulation or plan may be adopted by the Department of Economic Opportunity ~~commission~~ if it finds that it is in compliance with the principles for guiding development.

(10) REQUIREMENTS; LOCAL GOVERNMENTS.—

(f) Franklin County and the municipalities within it shall, beginning 12 months from June 18, 1985, prepare semiannual reports on the implementation of paragraphs (b)-(e) on the environmental status of the Apalachicola Bay Area. The state land planning agency may prescribe additional detailed information required to be reported. Each report shall be delivered to the resource planning and management committee and the state land planning agency for review and recommendations. The state land planning agency shall review each report and consider such reports when making a determination ~~recommendations to the Administration Commission~~ pursuant to

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subsection (9).

Section 70. Subsection (2) and paragraph (b) of subsection (11) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(2) STATEWIDE GUIDELINES AND STANDARDS.—The statewide guidelines and standards and the exemptions specified in s. 380.0651 and the statewide guidelines and standards adopted by the Department of Economic Opportunity ~~Administration Commission~~ and codified in chapter 73 ~~chapter 28-24~~, Florida Administrative Code, must be used in determining whether particular developments are subject to the requirements of subsection (12). The statewide guidelines and standards previously adopted by the Department of Economic Opportunity ~~Administration Commission~~ and approved by the Legislature shall remain in effect unless superseded or repealed by statute. The statewide guidelines and standards shall be applied as follows:

(a) A development that is below 100 percent of all numerical thresholds in the statewide guidelines and standards is not subject to subsection (12).

(b) A development that is at or above 100 percent of any numerical threshold in the statewide guidelines and standards is subject to subsection (12).

(11) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

(b) If requested by the owner, developer, or local government, the development-of-regional-impact development order

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must be abandoned by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development which existed on the date of abandonment has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as defined in s. 380.031 ~~s. 380.031(6)~~, provided such permit or authorization is subject to enforcement through administrative or judicial remedies. All development following abandonment must be fully consistent with the current comprehensive plan and applicable zoning.

Section 71. Section 380.07, Florida Statutes, is amended to read:

380.07 State Land Planning and Areas of Critical State Concern ~~Florida Land and Water Adjudicatory Commission~~.—

(1) ~~There is hereby created the Florida Land and Water Adjudicatory Commission, which shall consist of the Administration Commission.~~ The Department of Economic Opportunity ~~commission~~ may adopt rules necessary to ensure compliance with the area of critical state concern program.

(2) Whenever any local government issues any development order in any area of critical state concern, or in regard to the abandonment of any approved development of regional impact, copies of such orders as prescribed by rule by the state land planning agency shall be transmitted to the state land planning agency, the regional planning agency, and the owner or developer

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of the property affected by such order. The state land planning agency shall adopt rules describing development order rendition and effectiveness in designated areas of critical state concern. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the development order is not consistent with this part.

(3) Notwithstanding any other provision of law, an appeal of a development order in an area of critical state concern by the state land planning agency under this section may include consistency of the development order with the local comprehensive plan.

(4) The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the local government that issued the order. The filing of the notice of appeal stays the effectiveness of the order until after the completion of the appeal process.

(5) Before issuing a recommended ~~an~~ order, the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ shall hold a hearing pursuant to chapter 120. The Division of Administrative Hearings ~~commission~~ shall encourage the submission of appeals on the record made pursuant to subsection (7) in cases in which the development order was issued after a full and complete hearing before the local

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government or an agency thereof.

(6) After receipt of a recommended order from the Division of Administrative Hearings, the Department of Economic Opportunity ~~The Florida Land and Water Adjudicatory Commission~~ shall issue a final order pursuant to s. 120.57 ~~decision granting or denying permission to develop pursuant to the standards of this chapter and may attach conditions and restrictions to its decisions~~.

(7) If an appeal is filed with respect to any issues within the scope of a permitting program authorized by chapter 161, chapter 373, or chapter 403 and for which a permit or conceptual review approval has been obtained before the issuance of a development order, any such issue shall be specifically identified in the notice of appeal which is filed pursuant to this section, together with other issues that constitute grounds for the administrative review ~~appeal~~. The administrative proceeding ~~appeal~~ may proceed with respect to issues within the scope of permitting programs for which a permit or conceptual review approval has been obtained before the issuance of a development order only after the administrative law judge issues an order ~~commission determines by majority vote at a regularly scheduled commission meeting~~ that statewide or regional interests may be adversely affected by the development. In making this determination, there is a rebuttable presumption that statewide and regional interests relating to issues within

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the scope of the permitting programs for which a permit or conceptual approval has been obtained are not adversely affected.

Section 72. Subsection (2) of section 380.115, Florida Statutes, is amended to read:

380.115 Vested rights and duties; changes in statewide guidelines and standards.—A development that has received a development-of-regional-impact development order pursuant to s. 380.06 but is no longer required to undergo development-of-regional-impact review by operation of law may elect to rescind the development order pursuant to the following procedures:

(2) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as defined in s. 380.031(5) ~~s. 380.031(6)~~, if such permit or authorization is subject to enforcement through administrative or judicial remedies.

Section 73. Paragraph (l) of subsection (4) of section 381.0065, Florida Statutes, as amended by section 7, ch. 2020-150, Laws of Florida, is amended to read:

381.0065 Onsite sewage treatment and disposal systems;

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regulation.—

(4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. An operating permit must be obtained before the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years after the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage

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treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not

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approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted ~~by the Administration Commission under~~ s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department

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rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewerage system, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by a central sewerage system by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewerage system, the property owner may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance

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with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

6. The department shall enforce proper installation, operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewerage system until December 31, 2020.

Section 74. Paragraph (c) of subsection (2) of section 388.4111, Florida Statutes, is amended to read:

388.4111 Public lands; arthropod control.—

(2)

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(c) If the land management agency and the local arthropod control agency are unable to agree on a public lands control plan, the Florida Coordinating Council on Mosquito Control may recommend a control plan to the department, which shall propose a recommended public lands control plan. If the land management agency and the local arthropod control agency fail to agree to such recommended public lands control plan within 30 days of the rendering of such plan, either agency may petition the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ to determine whether the proposed control plan employs methods which are the minimum necessary and economically feasible to abate a public health or nuisance problem and which impose the least hazard to fish, wildlife, and other natural resources protected or managed in such areas. Unless both parties waive their right to a hearing, the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ shall direct a hearing officer to hold a hearing within the jurisdiction of the local arthropod control agency pursuant to the provisions of ss. 120.569 and 120.57 and submit a recommended order. The Department of Economic Opportunity ~~commission~~ shall, within 60 days of receipt of the recommended order, issue a final order adopting a public lands control plan. Consistent with s. 120.57(1)(l), the Department of Economic Opportunity ~~commission~~ may adopt or modify the proposed control plan. The Department of Economic Opportunity ~~commission~~ shall

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adopt rules on the conduct of appeals before the department ~~commission~~.

Section 75. Effective July 1, 2021, paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 76. Subsection (35) of section 403.061, Florida

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Statutes, is amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

(35) Adopt rules which may include stricter permitting and enforcement provisions within Outstanding Florida Waters, aquatic preserves, areas of critical state concern, and areas subject to chapter 380 resource management plans adopted by rule by the Department of Economic Opportunity ~~Administration Commission~~, when the plans for an area include waters that are particularly identified as needing additional protection, which provisions are not inconsistent with the applicable rules adopted for the management of such areas by the department and the Department of Economic Opportunity ~~Governor and Cabinet~~.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to humans, animals or plants, or to the environment.

Section 77. Subsection (4) of section 581.217, Florida Statutes, is amended to read:

581.217 State hemp program.—

(4) FEDERAL APPROVAL.—The department shall seek approval of the state plan for the regulation of the cultivation of hemp

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with the United States Secretary of Agriculture in accordance with 7 U.S.C. s. 1639p within 30 days after adopting rules. If the state plan is not approved by the United States Secretary of Agriculture, the Commissioner of Agriculture, in consultation with and with final approval from the Governor ~~Administration Commission~~, shall develop a recommendation to amend the state plan and submit the recommendation to the Legislature.

Section 78. Subsection (3) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(3) Notwithstanding other provisions of law, the distribution of the premium tax and any penalties or interest collected thereunder shall be made to the General Revenue Fund in accordance with rules adopted by the Department of Revenue ~~and approved by the Administration Commission~~.

Section 79. Effective July 1, 2021, paragraph (b) of subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s.

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20.03(7) to provide guidance to the state's regional domestic security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 80. Effective July 1, 2021, subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems

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Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; one ~~1~~ public defender appointed by the Florida Public Defender Association, Inc.; one ~~1~~ state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and five ~~5~~ members, to be appointed by the Governor, consisting of two ~~2~~ sheriffs, two ~~2~~ police chiefs, and one ~~1~~ clerk of the circuit court.

Section 81. Subsections (4) through (7) of section 945.6035, Florida Statutes, are amended to read:

945.6035 Dispute resolution.—

(4) If, at the end of the 40-day period, no resolution has been reached, the authority is authorized to appeal to the Division of Administrative Hearings ~~Administration Commission~~ for a review and resolution of the dispute between the

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department and the authority.

(5) The authority, within 30 days after receiving written notice of the action of the secretary or, if no response is received, within 30 days after the secretary's response is due pursuant to subsection (3), may file an appeal by petition to the Division of Administrative Hearings ~~Administration Commission, filed with the Secretary of the Administration Commission~~. The petition shall set forth the issues in controversy between the authority and the department, in the form and manner prescribed by the Division of Administrative Hearings ~~Administration Commission~~, and shall contain the reasons for the appeal. The department has 5 days after delivery of a copy of any such petition to file its reply with the Division of Administrative Hearings ~~Secretary of the Administration Commission~~, and the department shall also deliver a copy of its reply to the authority.

(6) The issues which may be raised by the authority on appeal to the Division of Administrative Hearings ~~Administration Commission~~ are:

(a) Adoption or implementation by the department of a health care standard which does not conform to the standard of care generally accepted in the professional health community at large.

(b) Failure of the department to comply with an adopted health care standard.

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(c) Failure to timely file a corrective action plan regarding all deficiencies which are determined by the authority to exist at an institution, as required pursuant to s. 945.6031.

(d) Failure to implement a corrective action plan filed pursuant to s. 945.6031.

(7) Within 30 days after receipt of a petition from the authority, the Division of Administrative Hearings ~~Secretary of the Administration Commission, or his or her designee,~~ shall conduct an informal hearing to consider the matters presented in the petition and the reply, and after the informal hearing shall promptly submit a report of the findings ~~and recommendations to the Administration Commission~~. Within 30 days after the informal hearing, the Division of Administrative Hearings ~~Administration Commission~~ shall approve either the position of the authority or that of the department. If the position of the authority is approved, the Division of Administrative Hearings ~~Administration Commission~~ shall set forth whatever remedial measures it deems appropriate and the department shall implement such remedial measures. ~~The decision of the Administration Commission is final and binding on the authority and the department and shall not be subject to appeal pursuant to s. 120.68.~~

Section 82. Section 945.6036, Florida Statutes, is amended to read:

945.6036 Enforcement.—

(1) If the department fails to substantially comply with

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the dispute resolution decision of the Division of Administrative Hearings ~~Administration Commission~~ or fails to implement required remedial action within 45 days after such decision or within the time period set by the Division of Administrative Hearings ~~Administration Commission~~, whichever period is longer, the authority is authorized to petition the Circuit Court in Leon County for an order requiring the department to comply. For the purposes of this section, "substantial compliance" means a firm effort to comply fully with the decision without omitting any essential part, and that any omission consists solely of an unimportant defect.

(2) If the authority fails to initiate a circuit court proceeding pursuant to this section, an inmate has the right to file a verified petition with the authority requesting that such a proceeding be initiated. The petition shall set forth with particularity the manner in which the department has failed to implement the decision of the Division of Administrative Hearings ~~Administration Commission~~, including any required remedial actions. The authority has 45 days after receipt of a verified petition to either initiate an action in circuit court pursuant to this section or advise the inmate in writing of the reason such an action will not be initiated.

(3) Within 30 days after service of the written decision of the authority setting forth its reason why an action will not be initiated by the authority pursuant to this section, an

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inmate may initiate an appropriate proceeding in the Circuit Court in Leon County to require the department to substantially comply with the decision of the Division of Administrative Hearings ~~Administration Commission~~.

Section 83. Paragraph (p) of subsection (9) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(9) CHARTER SCHOOL REQUIREMENTS.—

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools

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in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Department of Education ~~Administration Commission~~ under s. 120.54(5).

Section 84. Paragraph (e) of subsection (4) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(4) BOARD OF TRUSTEES.—

(e) The board of trustees is invested with full power and

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authority to:

1. Appoint a president, faculty, teachers, and other employees and remove the same as in its judgment may be best and fix their compensation.

2. Procure professional services, such as medical, mental health, architectural, and engineering.

3. Procure legal services without the prior written approval of the Attorney General.

4. Determine eligibility of students and procedure for admission.

5. Provide for the students of the school necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents, except that the board of trustees may set tuition and other fees for nonresidents.

6. Provide for the proper keeping of accounts and records and for budgeting of funds.

7. Enter into contracts.

8. Sue and be sued.

9. Secure public liability insurance.

10. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible, the board of trustees taking into consideration the purposes of the establishment.

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11. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity. However, the board of trustees may not obligate the state to any expenditure or policy that is not specifically authorized by law. If the bill of sale, will, trust indenture, deed, or other legal conveyance specifies terms and conditions concerning the use of such money or property, the board of trustees shall observe such terms and conditions.

12. Deposit outside the State Treasury such moneys as are received as gifts, donations, or bequests and may disburse and expend such moneys, upon its own warrant, for the use and benefit of the Florida School for the Deaf and the Blind and its students, as the board of trustees deems to be in the best interest of the school and its students. Such money or property does not constitute and may not be considered a part of any legislative appropriation.

13. Sell or convey by bill of sale, deed, or other legal instrument any property, real or personal, received as a gift, donation, or bequest, upon such terms and conditions as the board of trustees deems to be in the best interest of the school and its students.

14. Invest such moneys in securities enumerated under s. 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund, an Investment Management Fund exclusively for nonprofit

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educational institutions.

15. After receiving approval from the Department of Economic Opportunity ~~Administration Commission~~, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

Section 85. Section 1013.25, Florida Statutes, is amended to read:

1013.25 When university or Florida College System institution board of trustees may exercise power of eminent domain.—Whenever it becomes necessary for the welfare and convenience of any of its institutions or divisions to acquire private property for the use of such institutions, and this cannot be acquired by agreement satisfactory to a university or Florida College System institution board of trustees and the parties interested in, or the owners of, the private property, the board of trustees may exercise the power of eminent domain after receiving approval therefor from the Department of Economic Opportunity ~~Administration Commission~~ and may then proceed to condemn the property in the manner provided by chapter 73 or chapter 74.

Section 86. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2022.

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From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: Cabinet Reform
Date: Tuesday, November 30, 2021 8:08:31 PM
Attachments: Cabinet Reform Language Vote - 10-5-21.docx
Cabinet Reform Language Vote - DHSMV - 10-5-21.docx
Cabinet Reform Language - Vote - DHSMV - Ad Com - FLWAC.docx

Can you please put this in bill Drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the executive appointments; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and

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Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

Section 3. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 4. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001540

A bill to be entitled

An act relating to the executive appointments; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; requiring the head of the Department of Highway Safety and Motor Vehicles to be a secretary appointed by, and serving at the pleasure of, the Governor and confirmed by the Senate; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet,

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FL-GOV-22-0226, 20-0378-A-001541

with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 2. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor and confirmed by the Senate. The secretary shall serve at the pleasure of the Governor ~~Cabinet~~.

Section 3. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001542

Section 4. Subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 5. This act shall take effect July 1, 2022.

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V

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FL-GOV-22-0226, 20-0378-A-001543

A bill to be entitled

An act relating to executive reorganization; providing legislative purpose; providing for a type two transfer of the Administration Commission to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity; providing for the continuation of certain contracts and interagency agreements; providing for a type two transfer of the Florida Land and Water Adjudicatory Commission to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings; providing for the continuation of certain contracts and interagency agreements; authorizing the Governor to transfer funds and positions between agencies upon approval by the Legislative Budget Commission; requiring that the Governor submit specified information in a timely manner to certain entities; authorizing the Governor to obtain waivers as required by federal law; providing for the transfer of certain records, funds, and property to a successor organization; providing a directive to the Division of Law Revision to assist substantive committees in the preparation of conforming legislation; repealing s. 14.202, F.S., relating to the Administration

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Commission; amending s. 20.201, F.S.; requiring the executive director of the Department of Law Enforcement to be appointed subject to a majority vote of the Governor and Cabinet with the Governor and Attorney General on the prevailing side; amending s. 20.24, F.S.; requiring the head of the Department of Highway Safety and Motor Vehicles to be a secretary appointed by, and serving at the pleasure of, the Governor and confirmed by the Senate; amending s. 20.255, F.S.; removing the requirement for the appointment of the Secretary of Environmental Protection to be subject to the concurrence of three members of the cabinet; amending s. 20.37, F.S.; requiring the executive director of the Department of Veterans' Affairs to be appointed subject to a majority vote of the Governor and Cabinet with the Governor on the prevailing side; amending ss. 30.49, 110.112, 110.161, 110.201, 110.2035, 110.205, 110.21, 110.219, 110.227, 110.403, 112.175, 120.533, 120.54, 120.542, 120.63, 120.65, 120.80, 161.55, 163.3164, 163.3177, 163.3184, 163.3187, 163.3213, 163.3245, 166.241, 186.008, 186.515, 190.005, 190.046, 195.087, 206.27, 207.021, 212.055, 215.619, 215.95, 216.182, 216.192, 259.045, 282.709, 288.975, 316.545, 320.275, 322.125, 331.353, 336.025, 337.243, 369.305, 373.114,

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373.139, 373.217, 373.2295, 373.4275, 373.703, 377.2425, 380.031, 380.032, 380.045, 380.05, 380.055, 380.0552, 380.0555, 380.06, 380.07, 380.115, 381.0065, 388.4111, 397.333, 403.061, 581.217, 624.509, 943.0313, 943.06, 945.6035, 945.6036, 1002.33, 1002.36, and 1013.25, F.S.; conforming provisions and cross-references to changes made by the act; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative purpose.—It is the intent of the Legislature to pursue a state executive structure more aligned with the federal system in order to promote greater accountability and efficiency. When America's founding fathers designed our federal government structure, they intentionally chose a system in which there was a unitary executive. The founders very consciously declined to sap the executive's strength by dividing the executive power and instead vested the executive power in one elected individual, believing that an energetic executive is the leading character in the definition of good government. The changes made herein reflect our intent to move away from a plural executive structure toward more unitary executive governance that encourages greater accountability in the democratic process and efficiencies in

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government.

Section 2. Type two transfers from the Executive Office of the Governor.—

(1)(a) Unless otherwise provided in this act, all powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Administration Commission in the Executive Office of the Governor are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Administrative Hearings, the Florida Commission on Human Relations, and the Department of Economic Opportunity as appropriate.

(b) Any binding contract or interagency agreement existing before October 1, 2022, between the Administration Commission in the Executive Office of the Governor, or an entity or agent of the commission, and any other agency, entity, or person shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor entity responsible for the program, activity, or functions relative to the contract or agreement.

(2) All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative

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authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Florida Land and Water Adjudicatory Commission are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Environmental Protection, the Department of Economic Opportunity, and the Division of Administrative Hearings as appropriate.

Section 3. (1) Notwithstanding ss. 216.292 and 216.351, Florida Statutes, upon approval by the Legislative Budget Commission, the Executive Office of the Governor may transfer funds and positions between agencies to implement this act.

(2) The Governor shall submit in a timely manner to the applicable federal departments or agencies any necessary amendments or supplemental information concerning plans that the state is required to submit to the Federal Government in connection with any federal or state program. The Governor shall seek any waivers from the requirements of federal law or rules which may be necessary to administer the provisions of this act.

(3) The transfer of any program, activity, duty, or function under this act includes the transfer of any records and unexpended balances of appropriations, allocations, or other funds related to such program, activity, duty, or function. Unless otherwise provided, the successor organization to any program, activity, duty, or function transferred under this act shall become the custodian of any property of the organization

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that was responsible for the program, activity, duty, or function immediately prior to the transfer.

Section 4. The Legislature recognizes that there is a need to conform the Florida Statutes to the policy decisions reflected in this act and that there is a need to resolve apparent conflicts between any other legislation that has been or may be enacted during the 2022 Regular Session of the Legislature and the transfer of duties made by this act. Therefore, in the interim between this act becoming law and the 2023 Regular Session of the Legislature or an earlier special session addressing this issue, the Division of Law Revision is directed to provide the relevant substantive committees of the Senate and the House of Representatives with assistance, upon request, to enable such committees to prepare draft legislation to conform the Florida Statutes and any legislation enacted during the 2021 Regular Session of the Legislature to the provisions of this act.

Section 5. Section 14.202, Florida Statutes, is repealed.

Section 6. Subsection (1) of section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet,

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with the Governor and Attorney General on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

Section 7. Subsection (1) of section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles shall be a secretary appointed by ~~is~~ the Governor and confirmed by the Senate. The secretary shall serve at the pleasure of the Governor ~~Cabinet~~.

Section 8. Subsection (1) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor ~~with the concurrence of three members of the Cabinet~~. The appointment is subject to confirmation ~~secretary shall be~~

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~~confirmed~~ by the ~~Florida~~ Senate. The secretary shall serve at the pleasure of the Governor.

Section 9. Effective July 1, 2021, subsection (1) of section 20.37, Florida Statutes, is amended to read:

20.37 Department of Veterans' Affairs.—There is created a Department of Veterans' Affairs.

(1) The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is ~~with the approval of three members of the Cabinet and~~ subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

Section 10. Paragraph (a) of subsection (4) and subsections (5) and (10) of section 30.49, Florida Statutes, are amended to read:

30.49 Budgets.—

(4) The board of county commissioners or the budget commission, as appropriate, may require the sheriff to correct mathematical, mechanical, factual, and clerical errors and errors as to form in the proposed budget. At the hearings held pursuant to s. 200.065, the board or commission may amend, modify, increase, or reduce any or all items of expenditure in the proposed budget, as certified by the sheriff pursuant to

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paragraphs (2)(a)-(c), and shall approve such budget, as amended, modified, increased, or reduced. The board or commission must give written notice of its action to the sheriff and specify in such notice the specific items amended, modified, increased, or reduced. The budget must include the salaries and expenses of the sheriff's office, cost of operation of the county jail, purchase, maintenance and operation of equipment, including patrol cars, radio systems, transporting prisoners, court duties, and all other salaries, expenses, equipment, and investigation expenditures of the entire sheriff's office for the previous year.

(a) The sheriff, within 30 days after receiving written notice of such action by the board or commission, in person or in his or her office, may file an appeal by petition to the head of the Department of Law Enforcement which is the Governor and Cabinet ~~Administration Commission~~. The petition must set forth the budget proposed by the sheriff, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, and the budget as approved by the board of county commissioners or the budget commission and shall contain the reasons or grounds for the appeal. Such petition shall be filed with the Executive Office of the Governor, and a copy served upon the board or commission from the decision of which appeal is taken by delivering the same to the chair or president thereof or to the clerk of the circuit

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court.

(b) The Executive Office of the Governor may, in accordance with chapter 120, adopt and promulgate rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days after the hearing, the head of the Department of Law Enforcement shall issue a final order to~~, shall~~ either approve the action of the board or commission as to each separate item, or approve the budget as proposed by the sheriff as to each separate item, or amend or modify the budget as to each separate item within the limits of the proposed board of expenditures and the expenditures as approved by the board of county commissioners or the budget commission, as the case may be. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

(10) If in the judgment of the sheriff an emergency should arise by reason of which the sheriff would be unable to perform his or her duties without the expenditure of larger amounts than those provided in the budget, he or she may apply to the board

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of county commissioners for the appropriation of additional amounts. If the board of county commissioners approves the sheriff's request, no further action is required on either party. If the board of county commissioners disapproves a portion or all of the sheriff's request, the sheriff may apply to the head of the Department of Law Enforcement ~~Administration Commission~~ for the appropriation of additional amounts. The sheriff shall at the same time deliver a copy of the application to the Executive Office of the Governor, the board of county commissioners, and the budget commission, if there is a budget commission within the county. The head of the Department of Law Enforcement ~~Administration Commission~~ may require a budget hearing on the application, after due notice to the sheriff and to the boards, and may grant or deny an increase or increases in the appropriations for the sheriff's offices. If any increase is granted, the board of county commissioners, and the budget commission, if there is a budget commission in the county, shall amend accordingly the budget of the appropriate county fund or funds. Such budget shall be brought into balance, if possible, by application of excess receipts in such county fund or funds. If such excess receipts are not available in sufficient amount, the county fund budget or budgets shall be brought into balance by adding an item of "Vouchers unpaid" in the appropriate amount to the receipts side of the budget, and provision for paying such vouchers shall be made in the budget of the county fund for

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the next fiscal year.

Section 11. Paragraph (a) of subsection (2) of section 110.112, Florida Statutes, is amended to read:

110.112 Affirmative action; equal employment opportunity.—

(2)(a) The head of each executive agency shall develop and implement an affirmative action plan in accordance with rules adopted by the department and approved by a majority vote of the Florida Commission on Human Relations ~~Administration Commission~~ before their adoption.

Section 12. Subsection (5) and paragraph (c) of subsection (6) of section 110.161, Florida Statutes, are amended to read:

110.161 State employees; pretax benefits program.—

(5) The Department of Management Services shall develop rules for the pretax benefits program, which shall specify the benefits to be offered under the program, the continuing tax-exempt status of the program, and any other matters deemed necessary by the department to implement this section. ~~The rules must be approved by a majority vote of the Administration Commission.~~

(6) The Department of Management Services is authorized to administer the pretax benefits program established for all employees so that employees may receive benefits that are not includable in gross income under the Internal Revenue Code of 1986. The pretax benefits program:

(c) May provide for the payment of such premiums through a

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pretax payroll procedure. The ~~Administration Commission and the~~ Department of Management Services is ~~are~~ directed to take all actions necessary to preserve the tax-exempt status of the program.

Section 13. Paragraphs (a), (b), and (c) of subsection (1) and subsection (4) of section 110.201, Florida Statutes, are amended to read:

110.201 Personnel rules, records, and reports.—

(1)(a) The department, in consultation with agencies that must comply with these rules, shall develop uniform personnel rules, guidelines, records, and reports relating to employees and positions in the career service. Agencies must comply with the uniform rules, except as provided in this section. The department may adopt rules that provide alternative requirements. Upon filing with the Department of State, the appropriate uniform rules will constitute the personnel rules for each agency subject to this act unless the department ~~Administration Commission~~ grants an exception to a specific rule to an agency upon the agency's request or unless the agency must comply with a statutory provision that conflicts with the uniform rules. If an agency must comply with a statutory provision that conflicts with the uniform rules, the agency must notify the department ~~Administration Commission~~, the Administrative Procedures Committee, and the appropriate standing committees of the Legislature and advise the standing

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committees whether the agency recommends revision of the statute to conform it to the uniform rules. Agencies are encouraged to propose methods of conforming statutory provisions to the uniform personnel rules.

(b) An agency may request an exception to the uniform personnel rules by filing a petition with the department ~~Administration Commission~~. The department ~~Administration Commission~~ shall approve an exception when the exception is necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the department ~~Administration Commission~~. The reasons for the exception must be published in the Florida Administrative Register.

(c) Agency rules that provide exceptions to the uniform personnel rules may not be filed with the Department of State unless the department ~~Administration Commission~~ has approved the exceptions. Each agency that adopts rules that provide exceptions to the uniform rules or that must comply with statutory requirements that conflict with the uniform rules must have a separate chapter published in the Florida Administrative Code which clearly delineates the provisions of the agency's rules which provide exceptions or are based upon a conflicting statutory requirement. Each alternative chosen from those

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authorized by the uniform rules must be specified. Each chapter must be organized in the same manner as the uniform rules.

(4) The department shall coordinate with the Governor ~~and consult with the Administration Commission~~ on personnel matters falling within the scope of collective bargaining and shall represent the Governor in collective bargaining negotiations and other collective bargaining matters as may be necessary. All discussions between the department and the Governor, and between the department and ~~the Administration Commission or~~ agency heads, or between any of their respective representatives, relative to collective bargaining, shall be exempt from the provisions of s. 286.011, and all work products relative to collective bargaining developed in conjunction with such discussions shall be confidential and exempt from the provisions of s. 119.07(1).

Section 14. Paragraph (e) of subsection (1) of section 110.2035, Florida Statutes, is amended to read:

110.2035 Classification and compensation program.—

(1) The department ~~of Management Services~~ shall establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service, and Senior Management Service positions. No action may be taken to fill any position until it has been classified in accordance with the classification plan.

(e) In cooperation and consultation with the employing

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agencies, the department shall adopt rules necessary to govern the administration of the classification plan. ~~Such rules shall be approved by the Administration Commission prior to their adoption by the department.~~

Section 15. Paragraph (n) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(n)1.a. In addition to those positions exempted by other paragraphs of this subsection, each department head may designate a maximum of 20 policymaking or managerial positions, as defined by the department ~~and approved by the Administration Commission~~, as being exempt from the Career Service System. Career service employees who occupy a position designated as a position in the Selected Exempt Service under this paragraph shall have the right to remain in the Career Service System by opting to serve in a position not exempted by the employing agency. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Selected Exempt Service; provided, however, that if the agency head determines that the general counsel, chief Cabinet aide, public information administrator or comparable position for a Cabinet officer, inspector general, or legislative affairs director has both policymaking and

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managerial responsibilities and if the department determines that any such position has both policymaking and managerial responsibilities, the salary and benefits for each such position shall be established by the department in accordance with the rules of the Senior Management Service.

b. In addition, each department may designate one additional position in the Senior Management Service if that position reports directly to the agency head or to a position in the Senior Management Service and if any additional costs are absorbed from the existing budget of that department.

2. If otherwise exempt, employees of the Public Employees Relations Commission, the Commission on Human Relations, and the Reemployment Assistance Appeals Commission, upon the certification of their respective commission heads, may be provided for under this paragraph as members of the Senior Management Service, if otherwise qualified. However, the deputy general counsel of the Public Employees Relations Commission shall be compensated as members of the Selected Exempt Service.

Section 16. Subsection (5) of section 110.21, Florida Statutes, is amended to read:

110.21 Shared employment.—In order to promote part-time career employment opportunities at all levels in the career service, the department shall establish and maintain a plan for shared employment applicable to all classes in the career service and shall be responsible for the overall review,

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coordination, and administration of the shared-employment plan.

(5) The department shall adopt any rules necessary to implement the provisions of this section~~; however, such rules shall be approved by the Administration Commission prior to their adoption by the department~~.

Section 17. Subsection (5) of section 110.219, Florida Statutes, is amended to read:

110.219 Attendance and leave; general policies.—

(5) Rules shall be adopted by the department in cooperation and consultation with the agencies to implement the provisions of this section~~; however, such rules must be approved by the Administration Commission prior to their adoption~~. Such rules must provide for, but need not be limited to:

(a) The maximum responsibility and authority resting with each agency head to administer attendance and leave matters in the agency within the parameters of the rules adopted by the department.

(b) Creditable service in which 1 month of service credit is awarded for each calendar month that the employee is on the payroll of a state agency or during which the employee is on authorized leave without pay.

(c) Holidays as provided in s. 110.117.

(d) Overtime provisions.

(e) Annual leave provisions.

(f) Sick leave provisions.

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(g) Parental leave provisions.

(h) Family medical leave provisions.

(i) Disability leave provisions.

(j) Compulsory disability leave provisions.

(k) Administrative leave provisions.

(l) Military leave provisions.

(m) Educational leave with pay provisions.

(n) Leave of absence without pay provisions.

Section 18. Paragraph (b) of subsection (2) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(2)

(b) For the implementation of layoffs as defined in s. 110.107, the department shall develop rules requiring retention of the agency's employees based upon objective measures that give consideration to comparative merit, demonstrated skills, the employee's experience, and the employee's length of service. ~~Such rules shall be approved by the Administration Commission before their adoption by the department.~~

Section 19. Subsection (1) of section 110.403, Florida Statutes, is amended to read:

110.403 Powers and duties of the department.—

(1) In order to implement the purposes of this part, the Department of Management Services~~, after approval by the~~

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~~Administration Commission,~~ shall adopt and amend rules providing for:

(a) A system for employing, promoting, or reassigning managers that is responsive to organizational or program needs. In no event shall the number of positions included in the Senior Management Service exceed 1.0 percent of the total full-time equivalent positions in the career service. The department shall deny approval to establish any position within the Senior Management Service which would exceed the limitation established in this paragraph. The department shall report that the limitation has been reached to the Governor, the President of the Senate, and the Speaker of the House of Representatives, as soon as practicable after such event occurs. Employees in the Senior Management Service shall serve at the pleasure of the agency head and shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel action at the discretion of the agency head. Such personnel actions are exempt from the provisions of chapter 120.

(b) A performance appraisal system which shall take into consideration individual and organizational efficiency, productivity, and effectiveness.

(c) A classification plan and a salary and benefit plan that provides appropriate incentives for the recruitment and retention of outstanding management personnel and provides for salary increases based on performance.

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(d) A system of rating duties and responsibilities for positions within the Senior Management Service and the qualifications of candidates for those positions.

(e) A system for documenting actions taken on agency requests for approval of position exemptions and special pay increases.

(f) Requirements regarding recordkeeping by agencies with respect to Senior Management Service positions. Such records shall be audited periodically by the department ~~of Management Services~~ to determine agency compliance with the provisions of this part and the rules of the department ~~of Management Services~~.

(g) Other procedures relating to personnel administration to carry out the purposes of this part.

(h) A program of affirmative and positive action that will ensure full utilization of women and minorities in Senior Management Service positions.

Section 20. Subsection (2) of section 112.175, Florida Statutes, is amended to read:

112.175 Employee wages; withholding to repay educational loan.—

(2) The Department of Management Services ~~Administration Commission~~ shall adopt rules to implement this section, which shall include, but not be limited to, a standard method of calculating amounts to be withheld from employees who have

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failed to establish a repayment schedule within the specified period of time or failed to meet the terms and conditions of the agreed to or approved repayment schedule provided for in this section. Such method shall consider the following factors:

(a) The amount of the loan which remains outstanding;

(b) The income of the employee who owes such amount; and

(c) Other factors such as the number of dependents supported by the employee.

Section 21. Subsection (7) of section 120.533, Florida Statutes, is amended to read:

120.533 Coordination of the transmittal, indexing, and listing of agency final orders by Department of State.—The Department of State shall:

(7) Adopt rules as necessary to administer its responsibilities under this section, which shall be binding on all agencies including the division acting in the capacity of official compiler of administrative final orders under s. 120.53, notwithstanding s. 120.65. ~~The Department of State may provide for an alternative official compiler to manage and operate the division's database and related services if the Administration Commission determines that the performance of the division as official compiler is unsatisfactory.~~

Section 22. Subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

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(5) UNIFORM RULES.—

(a)1. The division ~~By July 1, 1997, the Administration Commission~~ shall adopt one or more sets of uniform rules of procedure which shall be reviewed by the committee and filed with the Department of State. Agencies must comply with the uniform rules ~~by July 1, 1998~~. The uniform rules shall establish procedures that comply with the requirements of this chapter. On filing with the department, the uniform rules shall be the rules of procedure for each agency subject to this chapter unless the division ~~Administration Commission~~ grants an exception to the agency under this subsection.

2. An agency may seek exceptions to the uniform rules of procedure by filing a petition with the division. The division ~~Administration Commission. The Administration Commission~~ shall approve exceptions to the extent necessary to implement other statutes, to the extent necessary to conform to any requirement imposed as a condition precedent to receipt of federal funds or to permit persons in this state to receive tax benefits under federal law, or as required for the most efficient operation of the agency as determined by the division ~~Administration Commission~~. The reasons for the exceptions shall be published in the Florida Administrative Register.

3. Agency rules that provide exceptions to the uniform rules shall not be filed with the department unless the division ~~Administration Commission~~ has approved the exceptions. Each

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agency that adopts rules that provide exceptions to the uniform rules shall publish a separate chapter in the Florida Administrative Code that delineates clearly the provisions of the agency's rules that provide exceptions to the uniform rules and specifies each alternative chosen from among those authorized by the uniform rules. Each chapter shall be organized in the same manner as the uniform rules.

(b) The uniform rules of procedure adopted by the division ~~commission~~ pursuant to this subsection shall include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency that provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name

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locations, if any, where communications media technology facilities will be available. Nothing in this paragraph shall be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The division ~~Administration Commission~~ may prescribe the form and substantive provisions of a required bond.

4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules shall require the petition to include:

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a. The identification of the petitioner, including the petitioner's e-mail address, if any, for the transmittal of subsequent documents by electronic means.

b. A statement of when and how the petitioner received notice of the agency's action or proposed action.

c. An explanation of how the petitioner's substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules shall require a request to include:

a. The name, address, e-mail address, and telephone number

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of the party making the request and the name, address, and telephone number of the party's counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent's use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Register under s. 120.565, including any applicable time limit for the filing of

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petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency's organization and general course of its operations. The rules shall require that the statement concerning the agency's organization and operations be published on the agency's website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 23. Subsection (3) of section 120.542, Florida Statutes, is amended to read:

120.542 Variances and waivers.—

(3) The division ~~Governor and Cabinet, sitting as the Administration Commission,~~ shall adopt uniform rules of procedure pursuant to the requirements of s. 120.54(5) establishing procedures for granting or denying petitions for variances and waivers. The uniform rules shall include procedures for the granting, denying, or revoking of emergency and temporary variances and waivers. Such provisions may provide for expedited timeframes, waiver of or limited public notice, and limitations on comments on the petition in the case of such temporary or emergency variances and waivers.

Section 24. Section 120.63, Florida Statutes, is amended to read:

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120.63 Exemption from act.—

(1) Upon application of any agency, the Department of Management Services ~~Administration Commission~~ may exempt any process or proceeding governed by this act from one or more requirements of this act:

(a) When the agency head has certified that the requirement would conflict with any provision of federal law or rules with which the agency must comply;

(b) In order to permit persons in the state to receive tax benefits or federal funds under any federal law; or

(c) When the Department of Management Services ~~commission~~ has found that conformity with the requirements of the part or parts of this act for which exemption is sought would be so inconvenient or impractical as to defeat the purpose of the agency proceeding involved or the purpose of this act and would not be in the public interest in light of the nature of the intended action and the enabling act or other laws affecting the agency.

(2) The Department of Management Services ~~commission~~ may not exempt an agency from any requirement of this act pursuant to this section until it establishes alternative procedures to achieve the agency's purpose which shall be consistent, insofar as possible, with the intent and purpose of the act.

(a) Prior to the granting of any exemption authorized by this section, the Department of Management Services ~~commission~~

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shall hold a public hearing after notice given as provided in s. 120.525. Upon the conclusion of the hearing, the Department of Management Services ~~commission, through the Executive Office of the Governor,~~ shall issue an order specifically granting or denying the exemption and specifying any processes or proceedings exempted and the extent of the exemption; transmit to the committee and to the Department of State a copy of the petition, a certified copy of the order granting or denying the petition, and a copy of any alternative procedures prescribed; and give notice of the petition and the Department of Management Services' ~~commission's~~ response in the Florida Administrative Register.

(b) An exemption and any alternative procedure prescribed shall terminate 90 days following adjournment sine die of the then-current or next regular legislative session after issuance of the exemption order, or upon the effective date of any subsequent legislation incorporating the exemption or any partial exemption related thereto, whichever is earlier. The exemption granted by the Department of Management Services ~~commission~~ shall be renewable upon the same or similar facts not more than once. Such renewal shall terminate as would an original exemption.

Section 25. Subsections (2) and (8) of section 120.65, Florida Statutes, are amended to read:

120.65 Administrative law judges.—

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(2) The director has the right to appeal actions by the Executive Office of the Governor that affect amendments to the division's approved operating budget or any personnel actions pursuant to chapter 216 to the Governor and Cabinet ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees may advise the Governor and Cabinet ~~Administration Commission~~ on the issue. If the President of the Senate and the Speaker of the House of Representatives object in writing to the effects of the appeal, the appeal may be affirmed by the majority vote of the Governor and Cabinet ~~affirmative vote of two-thirds of the commission members present~~.

(8) Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Governor ~~Administration Commission~~, including at least the following information:

(a) A summary of the extent and effect of agencies' utilization of administrative law judges, court reporters, and other personnel in proceedings under this chapter.

(b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

(c) Recommendations as to those types of cases or disputes which should be conducted under the summary hearing process described in s. 120.574.

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(d) A report regarding each agency's compliance with the filing requirement in s. 120.57(1)(m).

Section 26. Paragraph (a) of subsection (1) and subsection (5) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

(1) DIVISION OF ADMINISTRATIVE HEARINGS.—

(a) *Division as a party.*—Notwithstanding s. 120.57(1)(a), a hearing in which the division is a party may not be conducted by an administrative law judge assigned by the division. An attorney assigned by the Department of Management Services ~~Administration Commission~~ shall be the hearing officer.

(5) LAND USE AND PLANNING ~~FLORIDA LAND AND WATER ADJUDICATORY COMMISSION. Notwithstanding the provisions of s. 120.57(1)(a),~~ When the division ~~Florida Land and Water Adjudicatory Commission~~ receives a notice of appeal pursuant to s. 380.07, the division ~~the commission~~ shall notify the Department of Economic Opportunity and the Department of Environmental Protection ~~division~~ within 60 days after receipt of the notice of appeal ~~if the commission elects to request the assignment of an administrative law judge~~.

Section 27. Subsection (4) of section 161.55, Florida Statutes, is amended to read:

161.55 Requirements for activities or construction within the coastal building zone.—The following requirements shall apply beginning March 1, 1986, to construction within the

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coastal building zone and shall be minimum standards for construction in this area:

(4) APPLICATION TO COASTAL BARRIER ISLANDS.—All requirements of this part which are applicable to the coastal building zone shall also apply to coastal barrier islands. The coastal building zone on coastal barrier islands shall be the land area from the seasonal high-water line to a line 5,000 feet landward from the coastal construction control line established pursuant to s. 161.053, or the entire island, whichever is less. For coastal barrier islands on which a coastal construction control line has not been established pursuant to s. 161.053, the coastal building zone shall be the land area seaward of the most landward velocity zone (V-zone) boundary line fronting upon the Gulf of Mexico, Atlantic Ocean, Florida Bay, or Straits of Florida. All land area in the Florida Keys located within Monroe County shall be included in the coastal building zone. The coastal building zone on any coastal barrier island between Sebastian Inlet and Fort Pierce Inlet may be reduced in size upon approval of the department ~~Land and Water Adjudicatory Commission~~, if it determines that the local government with jurisdiction has provided adequate protection for the barrier island. In no case, however, shall the coastal building zone be reduced to an area less than a line 2,500 feet landward of the coastal construction control line. The department ~~Land and Water Adjudicatory Commission~~ shall withdraw its approval for a

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reduced coastal building zone if it determines that 6 months after a local government comprehensive plan is due for submission to the state land planning agency pursuant to s. 163.3167 the local government with jurisdiction has not adopted a coastal management element which is in compliance with s. 163.3178.

Section 28. Subsection (2) and present subsection (45) of section 163.3164, Florida Statutes, are amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

~~(2) "Administration Commission" means the Governor and the Cabinet, and for purposes of this chapter the commission shall act on a simple majority vote, except that for purposes of imposing the sanctions provided in s. 163.3184(8), affirmative action shall require the approval of the Governor and at least three other members of the commission.~~

(44)~~(45)~~ "Structure" has the same meaning as in s. 380.031(18) ~~s. 380.031(19)~~.

Section 29. Paragraph (f) of subsection (1) and paragraph (a) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and

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balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

(f) All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys,

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studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

1. Surveys, studies, and data utilized in the preparation of the comprehensive plan may not be deemed a part of the comprehensive plan unless adopted as a part of it. Copies of such studies, surveys, data, and supporting documents for proposed plans and plan amendments shall be made available for public inspection, and copies of such plans shall be made available to the public upon payment of reasonable charges for reproduction. Support data or summaries are not subject to the compliance review process, but the comprehensive plan must be clearly based on appropriate data. Support data or summaries may be used to aid in the determination of compliance and consistency.

2. Data must be taken from professionally accepted sources. The application of a methodology utilized in data collection or whether a particular methodology is professionally accepted may be evaluated. However, the evaluation may not include whether one accepted methodology is better than another. Original data collection by local governments is not required. However, local governments may use original data so long as

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methodologies are professionally accepted.

3. The comprehensive plan shall be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~, including related rules of the Administration Commission~~. Absent physical limitations on population growth, population projections for each municipality, and the unincorporated area within a county must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth.

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of

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density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

a. The amount of land required to accommodate anticipated growth.

b. The projected permanent and seasonal population of the area.

c. The character of undeveloped land.

d. The availability of water supplies, public facilities, and services.

e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.

f. The compatibility of uses on lands adjacent to or

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closely proximate to military installations.

g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

h. The discouragement of urban sprawl.

i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

j. The need to modify land uses and development patterns within antiquated subdivisions.

3. The future land use plan element shall include criteria to be used to:

a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).

b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.

c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.

d. Encourage the location of schools proximate to urban residential areas to the extent possible.

e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.

f. Ensure the protection of natural and historic

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resources.

g. Provide for the compatibility of adjacent land uses.

h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.

4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05~~, including related rules of the Administration Commission~~.

5. The future land use plan of a county may designate areas for possible future municipal incorporation.

6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.

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7. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.

8. Future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services.

b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment

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does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities

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and services.

(VII) Fails to maximize use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(IX) Fails to provide a clear separation between rural and urban uses.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

(XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.

(XIII) Results in the loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural

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resources and ecosystems.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

(IV) Promotes conservation of water and energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

10. The future land use element shall include a future land use map or map series.

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a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:

(I) Residential.

(II) Commercial.

(III) Industrial.

(IV) Agricultural.

(V) Recreational.

(VI) Conservation.

(VII) Educational.

(VIII) Public.

b. The following areas shall also be shown on the future land use map or map series, if applicable:

(I) Historic district boundaries and designated historically significant properties.

(II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.

(III) Multimodal transportation district boundaries.

(IV) Mixed-use categories.

c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:

(I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.

(II) Beaches and shores, including estuarine systems.

(III) Rivers, bays, lakes, floodplains, and harbors.

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(IV) Wetlands.

(V) Minerals and soils.

(VI) Coastal high hazard areas.

Section 30. Paragraph (c) of subsection (3), paragraph (e) of subsection (4), paragraph (d) of subsection (5), paragraph (d) of subsection (7), and subsection (8) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(c)1. The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other

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agency or local government that provided timely comments under subparagraph (b)2.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of an amendment package. For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. An amendment adopted under this paragraph does not become effective until 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(4) STATE COORDINATED REVIEW PROCESS.—

(e) *Local government review of comments; adoption of plan or amendments and transmittal.*—

1. The local government shall review the report submitted

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to it by the state land planning agency, if any, and written comments submitted to it by any other person, agency, or government. The local government, upon receipt of the report from the state land planning agency, shall hold its second public hearing, which shall be a hearing to determine whether to adopt the comprehensive plan or one or more comprehensive plan amendments pursuant to subsection (11). If the local government fails to hold the second hearing within 180 days after receipt of the state land planning agency's report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment. The 180-day limitation does not apply to amendments processed pursuant to s. 380.06.

2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under paragraph (c).

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of a plan or plan amendment package. For purposes of completeness, a plan or plan amendment shall be deemed complete if it contains a full, executed copy of the adoption ordinance or ordinances; in the case of a text amendment, a full copy of

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the amended language in legislative format with new words inserted in the text underlined, and words deleted stricken with hyphens; in the case of a future land use map amendment, a copy of the future land use map clearly depicting the parcel, its existing future land use designation, and its adopted designation; and a copy of any data and analyses the local government deems appropriate.

4. After the state land planning agency makes a determination of completeness regarding the adopted plan or plan amendment, the state land planning agency shall have 45 days to determine if the plan or plan amendment is in compliance with this act. Unless the plan or plan amendment is substantially changed from the one commented on, the state land planning agency's compliance determination shall be limited to objections raised in the objections, recommendations, and comments report. During the period provided for in this subparagraph, the state land planning agency shall issue, through a senior administrator or the secretary, a notice of intent to find that the plan or plan amendment is in compliance or not in compliance. The state land planning agency shall post a copy of the notice of intent on the agency's Internet website. Publication by the state land planning agency of the notice of intent on the state land planning agency's Internet site shall be prima facie evidence of compliance with the publication requirements of this subparagraph.

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5. A plan or plan amendment adopted under the state coordinated review process shall go into effect pursuant to the state land planning agency's notice of intent. If timely challenged, an amendment does not become effective until the state land planning agency ~~or the Administration Commission~~ enters a final order determining the adopted amendment to be in compliance.

(5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN AMENDMENTS.—

(d) ~~If the administrative law judge recommends that the amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. The Department of Economic Opportunity ~~Administration Commission~~ shall make every effort to enter a final order expeditiously, but at a minimum within the time period provided by s. 120.569.

(7) MEDIATION AND EXPEDITIOUS RESOLUTION.—

(d) For a case following the procedures under this subsection, absent written consent of the parties or a showing of extraordinary circumstances, if the administrative law judge recommends that the amendment be found not in compliance, the Department of Economic Opportunity ~~Administration Commission~~ shall issue a final order within 45 days after issuance of the recommended order. If the administrative law judge recommends

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that the amendment be found in compliance, the state land planning agency shall issue a final order within 45 days after issuance of the recommended order. If the state land planning agency fails to timely issue a final order, the recommended order finding the amendment to be in compliance immediately becomes the final order.

(8) DEPARTMENT OF ECONOMIC OPPORTUNITY ~~ADMINISTRATION COMMISSION~~.—

(a) If the Department of Economic Opportunity ~~Administration Commission~~, upon a hearing pursuant to subsection (5), finds that the comprehensive plan or plan amendment is not in compliance with this act, the department ~~commission~~ shall specify remedial actions that would bring the comprehensive plan or plan amendment into compliance.

(b) The Department of Economic Opportunity ~~commission~~ may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1. The department ~~commission~~ may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The department's ~~commission~~ order may also specify that the local

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government is not eligible for grants administered under the following programs:

a. The Florida Small Cities Community Development Block Grant Program, as authorized by ss. 290.0401-290.048.

b. The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c. Revenue sharing pursuant to ss. 206.60, 210.20, and 218.61 and chapter 212, to the extent not pledged to pay back bonds.

2. If the local government is one which is required to include a coastal management element in its comprehensive plan pursuant to s. 163.3177(6)(g), the department's ~~commission~~ order may also specify that the local government is not eligible for funding pursuant to s. 161.091. The department's ~~commission~~ order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. 161.053 and when the Board of Trustees of the Internal Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3. The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and

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except as provided in this paragraph.

Section 31. Paragraph (c) of subsection (1) and paragraphs (b) and (c) of subsection (5) of section 163.3187, Florida Statutes, are amended to read:

163.3187 Process for adoption of small-scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or ~~by the Administration Commission~~ pursuant to s. 380.05(1).

(5)

(b) ~~1. If the administrative law judge recommends that the small scale development amendment be found not in compliance,~~ The administrative law judge shall submit the recommended order to the Department of Economic Opportunity ~~Administration Commission~~ for final agency action. ~~If the administrative law judge recommends that the small scale development amendment be found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.~~

~~2. If the state land planning agency determines that the~~

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~~plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.~~

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the department ~~state land planning agency or the Administration Commission, respectively,~~ issues a final order determining that the adopted small scale development amendment is in compliance.

Section 32. Subsection (6) of section 163.3213, Florida Statutes, is amended to read:

163.3213 Administrative review of land development regulations.—

(6) If the administrative law judge in his or her order finds the land development regulation to be inconsistent with the local comprehensive plan, the order will be submitted to the Department of Economic Opportunity ~~Administration Commission~~. An appeal pursuant to s. 120.68 may not be taken until the Department of Economic Opportunity makes a final determination of the recommended order ~~Administration Commission acts pursuant to this subsection~~. The Department of Economic Opportunity shall

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make a final determination ~~Administration Commission shall hold a hearing~~ no earlier than 30 days or later than 60 days after the administrative law judge renders his or her final order. The sole issue before the Department of Economic Opportunity ~~Administration Commission~~ shall be the extent to which any of the sanctions described in s. 163.3184(8)(a) or (b)1. or 2. shall be applicable to the local government whose land development regulation has been found to be inconsistent with its comprehensive plan. If a land development regulation is not challenged within 12 months, it shall be deemed to be consistent with the adopted local plan.

Section 33. Paragraph (e) of subsection (3) of section 163.3245, Florida Statutes, is amended to read:

163.3245 Sector plans.—

(3) Sector planning encompasses two levels: adoption pursuant to s. 163.3184 of a long-term master plan for the entire planning area as part of the comprehensive plan, and adoption by local development order of two or more detailed specific area plans that implement the long-term master plan and within which s. 380.06 is waived.

(e) Whenever a local government issues a development order approving a detailed specific area plan, a copy of such order shall be rendered to the state land planning agency and the owner or developer of the property affected by such order, as prescribed by rules of the state land planning agency for a

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development order for a development of regional impact. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the detailed specific area plan is not consistent with the comprehensive plan or with the long-term master plan adopted pursuant to this section. The appellant shall furnish a copy of the petition to the opposing party, as the case may be, and to the local government that issued the order. The filing of the petition stays the effectiveness of the order until after completion of the appeal process. However, if a development order approving a detailed specific area plan has been challenged by an aggrieved or adversely affected party in a judicial proceeding pursuant to s. 163.3215, and a party to such proceeding serves notice to the state land planning agency, the state land planning agency shall dismiss its appeal to the division ~~commission~~ and shall have the right to intervene in the pending judicial proceeding pursuant to s. 163.3215. Proceedings for administrative review of an order approving a detailed specific area plan shall be conducted consistent with s. 380.07(5). The division ~~commission~~ shall issue a decision granting or denying permission to develop pursuant to the long-term master plan and the standards of this part and may attach conditions or restrictions to its decisions.

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Section 34. Subsection (4)(a), (b), and (5) of section 166.241, Florida Statutes, is amended to read:

166.241 Fiscal years, budgets, appeal of municipal law enforcement agency budget, and budget amendments.—

(4)(a) If the tentative budget of a municipality contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an appeal by petition to the head of the Department of Law Enforcement ~~Administration Commission~~ within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3). The petition must set forth the tentative budget proposed by the municipality, in the form and manner prescribed by the Executive Office of the Governor ~~and approved by the Administration Commission~~, the operating budget of the municipal law enforcement agency as approved by the municipality for the previous year, and state the reasons or grounds for the appeal. The petition shall be filed with the Executive Office of the Governor and a copy served upon the governing body of the municipality or to the clerk of the circuit court of the county in which the municipality is located.

(b) The governing body of the municipality has 5 working days after service of a copy of the petition to file a reply

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with the Executive Office of the Governor and shall serve a copy of such reply to the petitioner.

(c) The Executive Office of the Governor may, in accordance with chapter 120, adopt and promulgate rules to govern the appeal process of municipal law enforcement agency budgets.

(5) Upon receipt of the petition, the Executive Office of the Governor shall provide for a budget hearing at which the matters presented in the petition and the reply shall be considered. A report of the findings and recommendations of the Executive Office of the Governor thereon shall be promptly submitted to the head of the Department of Law Enforcement ~~Administration Commission~~, which, within 30 days, shall approve the action of the governing body of the municipality or amend or modify the budget as to each separate item within the operating budget of the municipal law enforcement agency. The budget as approved, amended, or modified by the head of the Department of Law Enforcement ~~Administration Commission~~ shall be final.

Section 35. Subsections (1) and (2) of section 186.008, Florida Statutes, are amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Department of Economic Opportunity ~~Administration Commission~~, any proposed revisions to the state

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comprehensive plan deemed necessary. The Governor shall transmit his or her recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.

(2) On or before December 15 of every odd-numbered year, the Department of Economic Opportunity ~~Administration Commission~~ shall review the proposed revisions to the state comprehensive plan prepared by the Governor. The department ~~commission~~ shall provide ~~adopt a resolution, after~~ public notice and a reasonable opportunity for public comment~~,~~ and transmit the proposed revisions to the state comprehensive plan to the Legislature, together with any amendments approved by the department ~~commission~~ and any dissenting reports. The department ~~commission~~ shall identify those portions of the plan that are not based on existing law.

Section 36. Section 186.515, Florida Statutes, is amended to read:

186.515 Creation of regional planning councils under chapter 163.—Nothing in ss. 186.501-186.507, 186.513, and this section is intended to repeal or limit the provisions of chapter 163; however, the local general-purpose governments serving as voting members of the governing body of a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and

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this section are not authorized to create a regional planning council pursuant to chapter 163 unless an agency, other than a regional planning council created pursuant to ss. 186.501-186.507, 186.513, and this section, is designated to exercise the powers and duties in any one or more of ss. 163.3164 and 380.031(14) ~~ss. 163.3164 and 380.031(15)~~; in which case, such a regional planning council is also without authority to exercise the powers and duties in s. 163.3164 or s. 380.031(14) ~~s. 380.031(15)~~.

Section 37. Subsection (1) and paragraphs (e) and (f) of subsection (2) of section 190.005, Florida Statutes, are amended to read:

190.005 Establishment of district.—

(1) The exclusive and uniform method for the establishment of a community development district with a size of 2,500 acres or more shall be pursuant to a rule, adopted under chapter 120 by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, granting a petition for the establishment of a community development district.

(a) A petition for the establishment of a community development district shall be filed by the petitioner with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. The petition shall contain:

1. A metes and bounds description of the external boundaries of the district. Any real property within the

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external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district.

2. The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(14), the written consent by such governmental entity.

3. A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006.

4. The proposed name of the district.

5. A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.

6. Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be

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submitted in good faith but are not binding and may be subject to change.

7. A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Community Planning Act.

8. A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.

(b) Prior to filing the petition, the petitioner shall:

1. Pay a filing fee of $15,000 to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of the land within, the external boundaries of the district.

2. Submit a copy of the petition to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with, or contain all or a portion of, the land within the external boundaries of the district.

3. If land to be included within a district is located

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partially within the unincorporated area of one or more counties and partially within a municipality or within two or more municipalities, pay a $15,000 filing fee to each entity. Districts established across county boundaries shall be required to maintain records, hold meetings and hearings, and publish notices only in the county where the majority of the acreage within the district lies.

(c) Such county and each such municipality required by law to receive a petition may conduct a public hearing to consider the relationship of the petition to the factors specified in paragraph (e). The public hearing shall be concluded within 45 days after the date the petition is filed unless an extension of time is requested by the petitioner and granted by the county or municipality. The county or municipality holding such public hearing may by resolution express its support of, or objection to the granting of, the petition by the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~. A resolution must base any objection to the granting of the petition upon the factors specified in paragraph (e). Such county or municipality may present its resolution of support or objection at the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ hearing and shall be afforded an opportunity to present relevant information in support of its resolution.

(d) A local public hearing on the petition shall be

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conducted by a hearing officer in conformance with the applicable requirements and procedures of the Administrative Procedure Act. The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph (e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice of the hearing to be published in a newspaper at least once a week for the 4 successive weeks immediately prior to the hearing. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper of general paid circulation in the county and of general interest and readership in the community, not one of limited subject matter, pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least 5 days a week, unless the only newspaper in the community is published fewer than 5 days a week. In addition to being published in the newspaper, the map referenced above must be part of the online advertisement required pursuant to s.

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50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

(e) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall consider the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments as provided in paragraph (c), and the following factors and make a determination to grant or deny a petition for the establishment of a community development district:

1. Whether all statements contained within the petition have been found to be true and correct.

2. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

5. Whether the community development services and

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facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

6. Whether the area that will be served by the district is amenable to separate special-district government.

(f) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ shall not adopt any rule which would expand, modify, or delete any provision of the uniform community development district charter as set forth in ss. 190.006-190.041, except as provided in s. 190.012. A rule establishing a community development district shall only contain the following:

1. A metes and bounds description of the external boundaries of the district and any real property within the external boundaries of the district which is to be excluded.

2. The names of five persons designated to be the initial members of the board of supervisors.

3. The name of the district.

(g) The Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules setting forth its procedures for considering petitions to establish, expand, modify, or delete uniform community development districts or portions thereof consistent with the provisions of this section.

(2) The exclusive and uniform method for the establishment of a community development district of less than 2,500 acres in

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size or a community development district of up to 7,000 acres in size located within a connected-city corridor established pursuant to s. 163.3246(13) shall be pursuant to an ordinance adopted by the county commission of the county having jurisdiction over the majority of land in the area in which the district is to be located granting a petition for the establishment of a community development district as follows:

(e) If all of the land in the area for the proposed district is within the territorial jurisdiction of a municipal corporation, then the petition requesting establishment of a community development district under this act shall be filed by the petitioner with that particular municipal corporation. In such event, the duties of the county, hereinabove described, in action upon the petition shall be the duties of the municipal corporation. If any of the land area of a proposed district is within the land area of a municipality, the county commission may not create the district without municipal approval. If all of the land in the area for the proposed district, even if less than 2,500 acres, is within the territorial jurisdiction of two or more municipalities or two or more counties, except for proposed districts within a connected-city corridor established pursuant to s. 163.3246(13), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ and proceed in accordance with subsection (1).

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(f) Notwithstanding any other provision of this subsection, within 90 days after a petition for the establishment of a community development district has been filed pursuant to this subsection, the governing body of the county or municipal corporation may transfer the petition to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, which shall make the determination to grant or deny the petition as provided in subsection (1). A county or municipal corporation shall have no right or power to grant or deny a petition that has been transferred to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

Section 38. Paragraph (d) of subsection (1) and subsection (10) of section 190.046, Florida Statutes, are amended to read:

190.046 Termination, contraction, or expansion of district.—

(1) A landowner or the board may petition to contract or expand the boundaries of a community development district in the following manner:

(d)1. For those districts initially established by administrative rule pursuant to s. 190.005(1), the petition shall be filed with the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~.

2. Prior to filing the petition, the petitioner shall pay a filing fee of $1,500, to the county if the district or the

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land to be added or deleted from the district is located within an unincorporated area or to the municipality if the district or the land to be added or deleted is located within an incorporated area, and to each municipality the boundaries of which are contiguous with or contain all or a portion of the land within or to be added to or deleted from the external boundaries of the district. The petitioner shall submit a copy of the petition to the same entities entitled to receive the filing fee. In addition, if the district is not the petitioner, the petitioner shall file the petition with the district board of supervisors.

3. Each county and each municipality shall have the option of holding a public hearing as provided by s. 190.005(1)(c). However, the public hearing shall be limited to consideration of the contents of the petition and whether the petition for amendment should be supported by the county or municipality.

4. The district board of supervisors shall, in lieu of a hearing officer, hold the local public hearing provided for by s. 190.005(1)(d). This local public hearing shall be noticed in the same manner as provided in s. 190.005(1)(d). Within 45 days of the conclusion of the hearing, the district board of supervisors shall transmit to the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~ the full record of the local hearing, the transcript of the hearing, any resolutions adopted by the local general-purpose

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governments, and its recommendation whether to grant the petition for amendment. The department ~~commission~~ shall then proceed in accordance with s. 190.005(1)(e).

5. A rule amending a district boundary shall describe the land to be added or deleted.

(10) If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district or, if the district was established by rule of the Department of Economic Opportunity ~~Florida Land and Water Adjudicatory Commission~~, the district may be dissolved by repeal of such rule of the department ~~commission~~.

Section 39. Paragraph (b) of subsection (1) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(1)

(b) The Division of Administrative Hearings ~~Governor and Cabinet, sitting as the Administration Commission,~~ may hear appeals from the final action of the department upon a written request being filed by the property appraiser or the presiding officer of the county commission no later than 15 days after the conclusion of the hearing held pursuant to s. 200.065(2)(d). The

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filing of an appeal does not relieve the county commission of its obligation to fund the department-approved final budget during the pendency of the appeal. The Department of Management Services ~~Administration Commission~~ may amend the budget if it finds that any aspect of the budget is unreasonable in light of the workload of the office of the property appraiser in the county under review. The budget request as approved by the department and as amended by the Department of Management Services ~~commission~~ shall become the operating budget of the property appraiser for the ensuing fiscal year beginning October 1, except that the budget so approved may subsequently be amended under the same procedure. After final approval, the property appraiser shall make no transfer of funds between accounts without the written approval of the department. However, all moneys received by property appraisers in complying with chapter 119 shall be accounted for in the same manner as provided for in s. 218.36, for moneys received as county fees and commissions, and any such moneys may be used and expended in the same manner and to the same extent as funds budgeted for the office and no budget amendment shall be required.

Section 40. Effective July 1, 2021, subsection (2) of section 206.27, Florida Statutes, is amended to read:

206.27 Records and files as public records.—

(2) This section does not require ~~Nothing herein shall be construed as requiring~~ the department to provide as a public

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record any information concerning audits in progress or those records and files of the department described in this section which are currently the subject of pending investigation by the Department of Revenue or the ~~Florida~~ Department of Law Enforcement. It is specifically provided that the foregoing information shall be exempt from ~~the provisions of~~ s. 119.07(1) and shall be considered confidential pursuant to s. 213.053; however, the department may make available to the secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles or his or her designee, exclusively for official purposes in administering chapter 207, any information concerning any audit in progress, and the provisions of s. 213.053(8) requiring a written agreement and maintenance of confidentiality by the recipient, and the penalty for breach of confidentiality, shall apply if the department makes such information available. An ~~Any~~ officer, employee, or former officer or employee of the department who divulges any such information in any manner except for such official purposes or under s. 213.053 is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 41. Effective July 1, 2021, paragraph (a) of subsection (2) of section 207.021, Florida Statutes, is amended to read:

207.021 Informal conferences; settlement or compromise of taxes, penalties, or interest.—

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(2)(a) The secretary ~~executive director~~ or his or her designee may enter into a closing agreement with a taxpayer settling or compromising the taxpayer's liability for any tax, interest, or penalty assessed under this chapter. Each agreement must be in writing, in the form of a closing agreement approved by the department, and signed by the secretary ~~executive director~~ or his or her designee. The agreement is final and conclusive, except upon a showing of material fraud or misrepresentation of material fact. The department may not make an additional assessment against the taxpayer for the tax, interest, or penalty specified in the closing agreement for the time specified in the closing agreement, and the taxpayer may not institute a judicial or administrative proceeding to recover any tax, interest, or penalty paid pursuant to the closing agreement. The secretary ~~executive director~~ of the department or his or her designee may approve the closing agreement.

Section 42. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the

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maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is

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ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" means facilities as defined in s. 163.3164(38) ~~s. 163.3164(39)~~, s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office

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buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with

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the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through

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conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property, including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 43. Subsection (1) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(1) The issuance of Everglades restoration bonds to

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finance or refinance the cost of the acquisition and improvement of land, water areas, and related property interests and resources for the purpose of implementing the Comprehensive Everglades Restoration Plan under s. 373.470, the Lake Okeechobee Watershed Protection Plan under s. 373.4595, the Caloosahatchee River Watershed Protection Plan under s. 373.4595, the St. Lucie River Watershed Protection Plan under s. 373.4595, the City of Key West Area of Critical State Concern as designated ~~by the Administration Commission~~ under s. 380.05, and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 in order to restore and conserve natural systems through implementation of water management projects, including projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects, projects to protect water resources available to the Florida Keys, including wastewater management projects identified in the Keys Wastewater Plan, dated November 2007, and submitted to the Florida House of Representatives on December 4, 2007, is authorized in accordance with s. 11(e), Art. VII of the State Constitution.

(a) Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through 2019-2020 and may not be issued in an amount exceeding $100 million per fiscal year unless:

1. The Department of Environmental Protection has

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requested additional amounts in order to achieve cost savings or accelerate the purchase of land; or

2. The Legislature authorizes an additional amount of bonds not to exceed $200 million, and limited to $50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program and the City of Key West Area of Critical State Concern. Proceeds from the bonds shall be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys.

(b) The duration of Everglades restoration bonds may not exceed 20 annual maturities and must mature by December 31, 2047. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution

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for bonds issued on or after July 1, 2015. Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues before authorizing the issuance of bonds under this section.

Section 44. Subsection (1) of section 215.95, Florida Statutes, is amended to read:

215.95 Financial Management Information Board.—

(1) There is created~~, as part of the Administration Commission,~~ the Financial Management Information Board. The board shall be composed of the Governor, the Chief Financial Officer, the Commissioner of Agriculture, and the Attorney General. The Governor shall be chair of the board. The Governor or the Chief Financial Officer may call a meeting of the board at any time the need arises.

Section 45. Subsection (2) of section 216.182, Florida Statutes, is amended to read:

216.182 Approval of fixed capital outlay program plan.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the determination of the program plan by the Executive Office of the Governor pursuant to subsection (1) is contrary to the orderly implementation of legislative authorization shall have the right to have the issue reviewed by the Department of Management Services after a substantial interest hearing by the Division of

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Administrative Hearings ~~Administration Commission, which shall decide such issue by majority vote~~. The appropriations committees of the Legislature may advise the Department of Management Services and the Division of Administrative Hearings ~~Administration Commission~~ on the issue.

Section 46. Subsection (2) of section 216.192, Florida Statutes, is amended to read:

216.192 Release of appropriations; revision of budgets.—

(2) Any department under the direct supervision of a member of the Cabinet or of a board consisting of the Governor and members of the Cabinet which contends that the plan for releases of funds appropriated to it is contrary to the approved operating budget shall have the right to have the issue reviewed by the administrative law judge of the Division of Administrative Hearings which shall issue a final order on the issue ~~Administration Commission which shall decide such issue by majority vote~~.

Section 47. Section 259.045, Florida Statutes, is amended to read:

259.045 Purchase of lands in areas of critical state concern; recommendations by department and land authorities.—Within 45 days after the designation of ~~Administration Commission designates~~ an area as an area of critical state concern under s. 380.05, and annually thereafter, the Department of Environmental Protection shall consider the recommendations

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of the state land planning agency pursuant to s. 380.05(1)(a) relating to purchase of lands within an area of critical state concern or lands outside an area of critical state concern that directly impact an area of critical state concern, which may include lands used to preserve and protect water supply, and shall make recommendations to the board with respect to the purchase of the fee or any lesser interest in any such lands that are:

(1) Environmentally endangered lands;

(2) Outdoor recreation lands;

(3) Lands that conserve sensitive habitat;

(4) Lands that protect, restore, or enhance nearshore water quality and fisheries;

(5) Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; or

(6) Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2) or if the parcel is wholly or partially, at the time of acquisition, on one of the board's approved acquisition lists established pursuant to this chapter. For the purposes of this subsection, if a parcel is estimated to be worth $500,000 or less and the director of the Division of State Lands finds that

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the cost of an outside appraisal is not justified, a comparable sales analysis, an appraisal prepared by the Division of State Lands, or other reasonably prudent procedures may be used by the Division of State Lands to estimate the value of the parcel, provided the public's interest is reasonably protected.

The department, a local government, a special district, or a land authority within an area of critical state concern may make recommendations with respect to additional purchases which were not included in the state land planning agency recommendations.

Section 48. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

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2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the secretary ~~executive director~~ of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 49. Paragraphs (b) and (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

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288.975 Military base reuse plans.—

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(b) If resolution of the dispute cannot be achieved within 45 days, the petitioning parties and host local government may extend such dispute resolution for up to 45 days. If resolution of the dispute cannot be achieved with the above timeframes, the issues in dispute shall be submitted to the state land planning agency. If the issues stem from multiple petitions, the mediation shall be consolidated into a single proceeding. The state land planning agency shall have 45 days to hold informal hearings, if necessary, identify the issues in dispute, prepare a record of the proceedings, and provide recommended solutions to the parties. If the parties fail to implement the recommended solutions within 45 days, the state land planning agency shall submit the matter to the Division of Administrative Hearings ~~Administration Commission~~ for final action. The report to the Division of Administrative Hearings ~~Administration Commission~~ shall list each issue in dispute, describe the nature and basis for each dispute, identify the recommended solutions provided to the parties, and make recommendations for actions the Division of Administrative Hearings ~~Administration Commission~~ should take to resolve the disputed issues.

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(d) Within 45 days after receiving the report from the state land planning agency, the Division of Administrative Hearings ~~Administration Commission~~ shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Division of Administrative Hearings ~~Administration Commission~~ shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Division of Administrative Hearings ~~Administration Commission~~ incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government shall amend its plan within 60 days after the issuance of the order. A public hearing on such amendment or amendments pursuant to s. 163.3184(11)(b)1. is not required. The final order of the Division of Administrative Hearings ~~Administration Commission~~ is subject to appeal pursuant to s. 120.68. If the order of the Division of Administrative Hearings ~~Administration Commission~~ is appealed, the time for the local government to amend its plan shall be tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 50. Effective July 1, 2021, subsection (7) of section 316.545, Florida Statutes, is amended to read:

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316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(7) There is created within the Department of Transportation the Commercial Motor Vehicle Review Board, consisting of three permanent members who shall be the Secretary of Transportation, the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, and the Commissioner of Agriculture, or their authorized representatives, and four additional members appointed pursuant to paragraph (b), which may review any penalty imposed upon any vehicle or person under the provisions of this chapter relating to weights imposed on the highways by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

(a) The Secretary of Transportation or his or her authorized representative shall be the chair of the review board.

(b) The Governor shall appoint one member from the road construction industry, one member from the trucking industry, and one member with a general business or legal background. The Commissioner of Agriculture shall appoint one member from the agriculture industry. Each member appointed under this paragraph must be a registered voter and resident of the state and must possess business experience in the private sector. Members appointed under ~~pursuant to~~ this paragraph shall each serve a 2-

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year term. A vacancy occurring during the term of a member appointed under this paragraph shall be filled only for the remainder of the unexpired term. Members of the board appointed under this paragraph may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(c) Each member, before entering upon his or her official duties, shall take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the review board and that he or she will not neglect any duties imposed upon him or her by s. 316.3025, s. 316.550, or this section.

(d) The chair of the review board is responsible for the administrative functions of the review board.

(e) Four members of the board constitute a quorum, and the vote of four members is ~~shall be~~ necessary for any action taken by the board. A vacancy on the board does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the board.

(f) The review board may hold sessions and conduct proceedings at any place within the state. As an alternative to physical appearance, and in addition to any other method of appearance authorized by rule, the Department of Transportation shall provide space and video conference capability at each

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district office to enable a person requesting a hearing to appear remotely before the board, regardless of the physical location of the board proceeding.

Section 51. Effective July 1, 2021, subsections (1) and (2) of section 320.275, Florida Statutes, are amended to read:

320.275 Automobile Dealers Industry Advisory Board.—

(1) AUTOMOBILE DEALERS INDUSTRY ADVISORY BOARD.—The Automobile Dealers Industry Advisory Board is created within the Department of Highway Safety and Motor Vehicles. The board shall make recommendations on proposed legislation, make recommendations on proposed rules and procedures, present licensed motor vehicle dealer industry issues to the department for its consideration, consider any matters relating to the motor vehicle dealer industry presented to it by the department, and submit an annual report to the secretary ~~executive director~~ of the department and file copies with the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(2) MEMBERSHIP, TERMS, MEETINGS.—

(a) The board shall be composed of 12 members. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall appoint the members from names submitted by the entities for the designated categories the member will represent. The secretary ~~executive director~~ shall appoint one representative of the Department of Highway Safety

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and Motor Vehicles; two representatives of the independent motor vehicle industry as recommended by the Florida Independent Automobile Dealers Association; two representatives of the franchise motor vehicle industry as recommended by the Florida Automobile Dealers Association; one representative of the auction motor vehicle industry who is from an auction chain and is recommended by a group affiliated with the National Auto Auction Association; one representative of the auction motor vehicle industry who is from an independent auction and is recommended by a group affiliated with the National Auto Auction Association; one representative from the Department of Revenue; a Florida tax collector representative recommended by the Florida Tax Collectors Association; one representative from the Better Business Bureau; one representative from the Department of Agriculture and Consumer Services, who must represent the Division of Consumer Services; and one representative of the insurance industry who writes motor vehicle dealer surety bonds.

(b)1. The secretary ~~executive director~~ shall appoint the following initial members to 1-year terms: one representative from the motor vehicle auction industry who represents an auction chain, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Department of Revenue, one Florida tax collector, and one representative from the Better Business Bureau.

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2. The secretary ~~executive director~~ shall appoint the following initial members to 2-year terms: one representative from the motor vehicle auction industry who represents an independent auction, one representative from the independent motor vehicle industry, one representative from the franchise motor vehicle industry, one representative from the Division of Consumer Services, one representative from the insurance industry, and one representative from the department.

3. As the initial terms expire, the secretary ~~executive director~~ shall appoint successors from the same designated category for terms of 2 years. If renominated, a member may succeed himself or herself.

4. The board shall appoint a chair and vice chair at its initial meeting and every 2 years thereafter.

(c) The board shall meet at least two times per year. Meetings may be called by the chair of the board or by the secretary ~~executive director~~ of the department. One meeting shall be held in the fall of the year to review legislative proposals. The board shall conduct all meetings in accordance with applicable Florida Statutes and shall keep minutes of all meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations.

Section 52. Effective July 1, 2021, subsection (1) of section 322.125, Florida Statutes, is amended to read:

322.125 Medical Advisory Board.—

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(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The secretary ~~executive director~~ of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. Every member but two must be a doctor of medicine licensed to practice medicine in this or any other state. One member must be an optometrist licensed to practice optometry in this state. One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 53. Section 331.353, Florida Statutes, is amended to read:

331.353 Rulemaking authority. ~~The Administration Commission and~~ State agencies shall have authority to adopt rules containing procedures for review of spaceport plans and

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amendments and development orders for projects applied for or issued under this act.

Section 54. Paragraph (b) of subsection (5) of section 336.025, Florida Statutes, is amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(5)

(b) Any dispute as to the determination by the county of distribution proportions shall be resolved through an appeal to the Division of Administrative Hearings ~~Administration Commission~~ in accordance with procedures developed by the Division of Administrative Hearings ~~commission~~. Pending final disposition of such proceeding, the tax shall be collected pursuant to this section, and such funds shall be held in escrow by the clerk of the circuit court of the county until final disposition.

Section 55. Subsection (1) of section 337.243, Florida Statutes, is amended to read:

337.243 Notification of land use changes in designated transportation corridors.—

(1) If a local government designates a transportation corridor that includes a facility on the State Highway System in its local government comprehensive plan and has adopted a transportation corridor management ordinance, the local governmental entity shall give reasonable notice by certified

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mail to the department prior to approving any substantial zoning change or subdivision plat changes or granting of a building permit or development permit, as defined in s. 380.031(3) ~~s. 380.031(4)~~, for land use or the erection, alteration, or moving of a building for property within the designated transportation corridor which would substantially impair the viability of the corridor for future transportation uses. This notification requirement shall not apply to any routine maintenance or emergency repairs to existing structures. Upon notification, the department shall determine whether to purchase the property affected or to initiate eminent domain proceedings. The department's determination shall not affect the granting or denial of the permit by the local government. The local government shall not be liable to the department for failure to make notification to the department pursuant to this section.

Section 56. Subsections (3) and (4) of section 369.305, Florida Statutes, are amended to read:

369.305 Review of local comprehensive plans, land development regulations, Wekiva River development permits, and amendments.—

(3) If the department determines that the local comprehensive plan and land development regulations as amended or supplemented comply with the provisions of subsection (1), the department shall petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to confirm its determination.

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If the department determines that the amendments and any new land development regulations that a county has adopted do not meet the criteria established in subsection (1), or the department receives no amendments or new land development regulations and determines that the county's existing local comprehensive plan and land development regulations do not comply with the provisions of subsection (1), the department shall petition the Department of Economic Opportunity ~~Governor and Cabinet~~ to order the county to adopt such amendments to its local comprehensive plan or land development regulations or such new land development regulations as it deems necessary to meet the criteria in subsection (1). A determination or petition made by the department pursuant to this subsection shall not be final agency action.

(4) The Department of Economic Opportunity ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission,~~ shall render an order on the petition. Any local government comprehensive plan amendments directly related to the requirements of this subsection and subsections (1), (2), and (3) may be initiated by a local planning agency and considered by the local governing body without regard to statutory or local ordinance limitations on the frequency of consideration of amendments to local comprehensive plans.

Section 57. Section 373.114, Florida Statutes, is amended to read:

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373.114 ~~Land and Water Adjudicatory Commission;~~ Review of district rules and orders; department review of district rules.—

(1) Except as provided in subsection (2), the department has ~~Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission, have~~ the exclusive authority to review any order or rule of a water management district, other than a rule relating to an internal procedure of the district or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57 or a rule that has been adopted after issuance of a final order resulting from an evidentiary hearing held under s. 120.56, to ensure consistency with the provisions and purposes of this chapter. Subsequent to the legislative ratification of the delineation methodology pursuant to s. 373.421(1), this subsection also shall apply to an order of ~~the department, or~~ a local government exercising delegated authority, pursuant to ss. 373.403-373.443, except an order pertaining to activities or operations subject to conceptual plan approval pursuant to chapter 378 or a final order resulting from an evidentiary hearing held under s. 120.569 or s. 120.57.

(a) Such review may be initiated by the department or by a party to the proceeding below by filing a request for review with the department ~~Land and Water Adjudicatory Commission~~ and serving a copy ~~on the department and~~ on any person named in the rule or order within 20 days after adoption of the rule or the rendering of the order. For the purposes of this section, the

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term "party" means any affected person who submitted oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the rule or order that are cognizable within the scope of the provisions and purposes of this chapter. In order for the department ~~commission~~ to accept a request for review initiated by a party below, with regard to a specific order, the department ~~three members of the commission~~ must determine on the basis of the record below that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. Review of an order may also be accepted if the department determines ~~three members of the commission determine~~ that the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from the standpoint of agency precedent. The party requesting the department ~~commission~~ to review an order must allege with particularity, and the department ~~commission~~ must find, that:

1. The order is in conflict with statutory requirements; or

2. The order is in conflict with the requirements of a duly adopted rule.

(b) Review by the department ~~Land and Water Adjudicatory Commission~~ is appellate in nature and shall be based solely on the record below unless the department ~~commission~~ determines

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that a remand for a formal evidentiary proceeding is necessary to develop additional findings of fact. If there is no evidentiary administrative proceeding resulting from a remand or referral for findings of fact by the department ~~commission~~, then the facts contained in the proposed agency action or proposed water management district action, including any technical staff report, shall be deemed undisputed. The matter shall be heard by the department c~~ommission~~ not more than 60 days after receipt of the request for review, unless waived by the parties; provided, however, such time limit shall be tolled by a referral or remand pursuant to this paragraph. The department ~~commission~~ may refer a request for review to the Division of Administrative Hearings for the production of findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Alternatively, the department ~~commission~~ may remand the matter to the agency below for additional findings of fact, limited to those needed to render the decision requested, to supplement the record, if the department ~~a majority of the commission~~ determines that supplementary findings of fact are essential to determine the consistency of a rule or order with the provisions and purposes of this chapter. Such proceedings must be conducted and the findings transmitted to the department

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~~commission~~ within 90 days of the remand or referral.

(c) If the department ~~Land and Water Adjudicatory Commission~~ determines that a rule of a water management district is not consistent with the provisions and purposes of this chapter, it may require the water management district to initiate rulemaking proceedings to amend or repeal the rule. If the department ~~commission~~ determines that an order is not consistent with the provisions and purposes of this chapter, the department ~~commission~~ may rescind or modify the order or remand the proceeding for further action consistent with the order of the department ~~Land and Water Adjudicatory Commission~~ only if the department ~~commission~~ determines that the activity authorized by the order would substantially affect natural resources of statewide or regional significance. In the case of an order which does not itself substantially affect natural resources of statewide or regional significance, but which raises issues of policy that have regional or statewide significance from the standpoint of agency precedent, the department ~~commission~~ may direct the district to initiate rulemaking to amend its rules to assure that future actions are consistent with the provisions and purposes of this chapter without modifying the order.

(d) In a review under this section of a construction permit issued pursuant to a conceptual permit under part IV, which conceptual permit is issued after July 1, 1993, a party to

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the review may not raise an issue which was or could have been raised in a review of the conceptual permit under this section.

(e) A request for review under this section shall not be a precondition to the seeking of judicial review pursuant to s. 120.68 or the seeking of an administrative determination of rule validity pursuant to s. 120.56.

(f) The department ~~Florida Land and Water Adjudicatory Commission~~ may adopt rules to set forth its procedures for reviewing an order or rule of a water management district consistent with the provisions of this section.

(g) For the purpose of this section, it shall be presumed that activity authorized by an order will not affect resources of statewide or regional significance if the proposed activity:

1. Occupies an area less than 10 acres in size, and

2. Does not create impervious surfaces greater than 2 acres in size, and

3. Is not located within 550 feet of the shoreline of a named body of water designated as Outstanding Florida Waters, and

4. Does not adversely affect threatened or endangered species.

This paragraph shall not operate to hold that any activity that exceeds these limits is presumed to affect resources of statewide or regional significance. The determination of whether

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an activity will substantially affect resources of statewide or regional significance shall be made on a case-by-case basis, based upon facts contained in the record below.

(2) The department shall have the exclusive authority to review rules of the water management districts, other than rules relating to internal management of the districts, to ensure consistency with the water resource implementation rule as set forth in the rules of the department. Within 30 days after adoption or revision of any water management district rule, the department shall initiate a review of such rule pursuant to this section.

(a) Within 30 days after adoption of a rule, any affected person may request that a hearing be held before the secretary of the department, at which hearing evidence and argument may be presented relating to the consistency of the rule with the water resource implementation rule, by filing a request for hearing with the department and serving a copy on the water management district.

(b) If the department determines that the rule is inconsistent with the water resource implementation rule, it may order the water management district to initiate rulemaking proceedings to amend or repeal the rule.

(c) An order of the department requiring amendment or repeal of a rule may be appealed pursuant to s. 120.68 ~~to the Land and Water Adjudicatory Commission~~ by the water management

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district or any other party to the proceeding before the secretary.

Section 58. Paragraph (c) of subsection (3) of section 373.139, Florida Statutes, is amended to read:

373.139 Acquisition of real property.—

(3) The initial 5-year work plan and any subsequent modifications or additions thereto shall be adopted by each water management district after a public hearing. Each water management district shall provide at least 14 days' advance notice of the hearing date and shall separately notify each county commission within which a proposed work plan project or project modification or addition is located of the hearing date.

(c) The Secretary of Environmental Protection shall release acquisition moneys from the appropriate account or trust fund to a district following receipt of a resolution adopted by the governing board identifying the lands being acquired and certifying that such acquisition is consistent with the 5-year work plan of acquisition and other provisions of this section. The governing board also shall provide to the Secretary of Environmental Protection a copy of all certified appraisals used to determine the value of the land to be purchased. Each parcel to be acquired must have at least one appraisal. Two appraisals are required when the estimated value of the parcel exceeds $1 million. However, when both appraisals exceed $1 million and differ significantly, a third appraisal may be obtained. If the

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purchase price is greater than the appraisal price, the governing board shall submit written justification for the increased price. The Secretary of Environmental Protection may withhold moneys for any purchase that is not consistent with the 5-year plan or the intent of this section or that is in excess of appraised value. The governing board may appeal any denial to the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission pursuant to s. 373.114~~.

Section 59. Subsection (1) of section 373.217, Florida Statutes, is amended to read:

373.217 Superseded laws and regulations.—

(1) It is the intent of the Legislature to provide a means whereby reasonable programs for the issuance of permits authorizing the consumptive use of particular quantities of water may be authorized by the Department of Environmental Protection, subject to judicial review and also subject to review ~~by the Governor and Cabinet, sitting as the Land and Water Adjudicatory Commission~~ as provided in s. 373.114.

Section 60. Subsections (11) and (13) of section 373.2295, Florida Statutes, are amended to read:

373.2295 Interdistrict transfers of groundwater.—

(11) If, after the final order of the department or final agency action under this section, the proposed use of the site designated in the application for groundwater production, treatment, or transmission facilities does not conform with the

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existing zoning ordinances, a rezoning application may be submitted. If local authorities deny the application for rezoning, the applicant may appeal this decision to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~, which shall authorize a variance or nonconforming use to the existing comprehensive plan and zoning ordinances, unless the Department of Economic Opportunity ~~commission~~ determines after notice and hearing that such variance or nonconforming use is contrary to the public interest.

(13) When a consumptive use permit under this section is granted for water use beyond the boundaries of a local government from which or through which the groundwater is withdrawn or transferred and a local government denies a permit required under chapter 125 or chapter 153 for a facility or any infrastructure which produces, treats, transmits, or distributes such groundwater, the person or unit of government applying for the permit under chapter 125 or chapter 153 may appeal the denial to the Department of Economic Opportunity ~~Land and Water Adjudicatory Commission~~. The Department of Economic Opportunity ~~commission~~ shall review the local government action for consistency with this chapter and the interdistrict groundwater transfer permit and may reverse, modify, or approve the local government's action.

Section 61. Paragraph (b) of subsection (1) of section 373.4275, Florida Statutes, is amended to read:

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373.4275 Review of consolidated orders.—

(1) Beginning on the effective date of the rules adopted under s. 373.427(1), review of any consolidated order rendered pursuant to s. 373.427(1) shall be governed by the provisions of s. 373.114(1). However, the term "party" shall mean any person who participated as a party in a proceeding under ss. 120.569 and 120.57 on the concurrently reviewed authorizations, permits, waivers, variances, or approvals, or any affected person who submitted to the department, water management district, or board of trustees oral or written testimony, sworn or unsworn, of a substantive nature which stated with particularity objections to or support for the authorization, permit, waiver, variance, or approval, provided that such testimony was cognizable within the scope of this chapter or the applicable provisions of chapter 161, chapter 253, or chapter 258 when the consolidated notice of intent includes an authorization, permit, waiver, variance, or approval under those chapters. In such cases, the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161, chapter 253, or chapter 258 when the consolidated order includes an authorization, permit, waiver, variance, or approval under those chapters. If the consolidated order subject to review includes approval or denial of proprietary authorization to use submerged lands on which the board of trustees has previously acted, as described in s. 373.427(2), the scope of review under this section shall

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not encompass such proprietary decision, but the standard of review shall also ensure consistency with the applicable provisions and purposes of chapter 161 when the consolidated order includes a permit, waiver, or approval under that chapter.

(b) If a consolidated order includes proprietary authorization under chapter 253 or chapter 258 to use submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund for an activity for which the authority has been delegated to take final agency action without action of the board of trustees, the following additional provisions and exceptions to s. 373.114(1) apply:

1. The Governor and Cabinet shall sit ~~concurrently~~ as ~~the Land and Water Adjudicatory Commission and~~ the Board of Trustees of the Internal Improvement Trust Fund in exercising the exclusive authority to review the order;

2. The review may also be initiated by the Governor or any member of the Cabinet within 20 days after the rendering of the order in which case the other provisions of s. 373.114(1)(a) regarding acceptance of a request for review do not apply; and

3. If the Governor and Cabinet find that an authorization to use submerged lands is not consistent with chapter 253 or chapter 258, any authorization, permit, waiver, or approval authorized or granted by the consolidated order must be rescinded or modified or the proceeding must be remanded for further action consistent with the order issued under this

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section.

Section 62. Subsection (6) of section 373.703, Florida Statutes, is amended to read:

373.703 Water production; general powers and duties.—In the performance of, and in conjunction with, its other powers and duties, the governing board of a water management district existing pursuant to this chapter:

(6) May provide water and financial assistance to regional water supply authorities, but may not provide water to counties and municipalities which are located within the area of such authority without the specific approval of the authority or, in the event of the authority's disapproval, the approval of the Governor and Cabinet ~~sitting as the Land and Water Adjudicatory Commission~~. The district may supply water at rates and upon terms mutually agreed to by the parties or, if they do not agree, as set by the governing board and specifically approved by the department ~~Governor and Cabinet sitting as the Land and Water Adjudicatory Commission~~.

Section 63. Paragraph (c) of subsection (1) of section 377.2425, Florida Statutes, is amended to read:

377.2425 Manner of providing security for geophysical exploration, drilling, and production.—

(1) Prior to granting a permit to conduct geophysical operations; drilling of exploratory, injection, or production wells; producing oil and gas from a wellhead; or transporting

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oil and gas through a field-gathering system, the department shall require the applicant or operator to provide surety that these operations will be conducted in a safe and environmentally compatible manner.

(c) An applicant for a drilling or operating permit for operations planned in coastal waters that by their nature warrant greater surety shall provide surety only in accordance with paragraph (a), or similar proof of financial responsibility other than as provided in paragraph (b). For all such applications, including applications pending at the effective date of this act and notwithstanding the provisions of paragraph (b), ~~the Governor and Cabinet in their capacity as the Administration Commission, at the recommendation of~~ the Department of Environmental Protection~~,~~ shall set a reasonable amount of surety required under this subsection. The surety amount shall be based on the projected cleanup costs and natural resources damages resulting from a maximum oil spill and adverse hydrographic and atmospheric conditions that would tend to transport the oil into environmentally sensitive areas, as determined by the Department of Environmental Protection.

Section 64. Subsection (1) of section 380.031, Florida Statutes, is amended to read:

380.031 Definitions.—As used in this chapter:

~~(1) "Administration commission" or "commission" means the Governor and the Cabinet; and for purposes of this chapter the~~

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~~commission shall act on a simple majority.~~

Section 65. Paragraph (b) of subsection (2) of section 380.032, Florida Statutes, is amended to read:

380.032 State land planning agency; powers and duties.—The state land planning agency shall have the power and the duty to:

(2)

(b) Within 20 days following adoption, any substantially affected party may initiate review of any rule adopted by the state land planning agency interpreting the guidelines and standards by filing a request for review with the Division of Administrative Hearings ~~Administration Commission~~ and serving a copy on the state land planning agency. Filing a request for review shall stay the effectiveness of the rule pending a decision by the Division of Administrative Hearings ~~Administration Commission~~. Within 45 days following receipt of a request for review, the Division of Administrative Hearings ~~commission~~ shall either reject the rule or approve the rule, with or without modification.

Section 66. Subsections (3), (4), and (5) of section 380.045, Florida Statutes, are amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(3) Not later than 12 months after its appointment by the Governor, the committee shall either adopt a proposed voluntary resource planning and management program for the area under

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study or recommend that a voluntary resource planning and management program not be adopted. The proposed voluntary resource planning and management program shall contain the committee findings with respect to problems that endanger those resources, facilities, and areas described in s. 380.05(2) and shall contain detailed recommendations for state, regional, and local governmental actions necessary to resolve current and prevent future problems identified by the committee. A major objective of the proposed voluntary resource planning and management program shall be the effective coordination of state, regional, and local planning; program implementation; and regulatory activities for comprehensive resource management. The committee shall submit the proposed voluntary resource planning and management program to the head of the state land planning agency at the Department of Economic Opportunity~~, who shall transmit the program along with the recommendations of the agency for monitoring and enforcing the program, as well as any other recommendations deemed appropriate, to the Administration Commission~~.

(4) The Department of Economic Opportunity ~~Administration Commission~~ shall by resolution approve, approve as modified, or reject the proposed voluntary resource planning and management program and state land planning agency recommendations; and the Department of Economic Opportunity ~~Administration Commission~~ shall request each state or regional agency that is responsible

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for implementing a portion of an approved program to conduct its programs and regulatory activities in a manner consistent with the approved program. Each state and regional agency involved in implementing the program shall cooperate to the maximum extent possible in ensuring that the program is given full effect.

(5) The state land planning agency shall monitor ~~report to the Administration Commission within 12 months of the approval of the program by the commission concerning~~ the implementation and the effects of the approved voluntary resource planning and management program, which~~. The report~~ shall include, but shall not be limited to:

(a) An assessment of state agency compliance with the program, including the degree to which the program recommendations have been integrated into agency planning, program implementation, regulatory activities, and rules;

(b) An assessment of the compliance by each affected local government with the program;

(c) An evaluation of state, regional, and local monitoring and enforcement activities and recommendations for improving such activities; and

(d) A determination ~~recommendation~~ as to whether ~~or not~~ all or any portion of the study area should be designated an area of critical state concern pursuant to s. 380.05.

The state land planning agency may engage in additional

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monitoring ~~make such other reports to the commission~~ as it deems necessary, including determining ~~recommending~~ that all or any portion of the study area be designated an area of critical state concern because of special circumstances in the study area or in the implementation of the approved voluntary resource planning and management program.

Section 67. Subsections (1), (3), (4), (5), (8), (9), (10), (11), (12), (15), and (22) of section 380.05, Florida Statutes, are amended to read:

380.05 Areas of critical state concern.—

(1)(a) The state land planning agency may from time to time determine ~~recommend to the Administration Commission~~ specific areas of critical state concern. In its determination ~~recommendation~~, the agency shall include recommendations and findings with respect to the purchase of lands situated within the boundaries of the proposed area as environmentally endangered lands and outdoor recreation lands under the Land Conservation Program. The agency also shall include any report or recommendation of a resource planning and management committee appointed pursuant to s. 380.045; the dangers that would result from uncontrolled or inadequate development of the area and the advantages that would be achieved from the development of the area in a coordinated manner; a detailed boundary description of the proposed area; specific principles for guiding development within the area; an inventory of lands

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owned by the state, federal, county, and municipal governments within the proposed area; and a list of the state agencies with programs that affect the purpose of the designation. The agency shall recommend actions which the local government and state and regional agencies must accomplish in order to implement the principles for guiding development. These actions may include, but need not be limited to, revisions of the local comprehensive plan and adoption of land development regulations, density requirements, and special permitting requirements.

(b) Within 45 days following completion of its determination ~~receipt of a recommendation from the agency~~, the Department of Economic Opportunity ~~commission~~ shall either reject the determination ~~recommendation~~ as tendered or adopt the determination ~~recommendation~~ with or without modification and by rule designate the area of critical state concern. Any rule that designates an area of critical state concern must include:

1. A detailed boundary description of the area.

2. Principles for guiding development.

3. A clear statement of the purpose for the designation.

4. A precise checklist of actions which, when implemented, will result in repeal of the designation by the Department of Economic Opportunity ~~Administration Commission~~, and the agencies or entities responsible for taking those actions.

5. A list of those issues or programs for which mechanisms must be in place to assure ongoing implementation of the actions

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taken to result in repeal of the designation.

6. A list of the state agencies which, in addition to those specified in subsection (22), administer programs that affect the purpose of the designation.

The rule shall become effective 20 days after being filed with the Secretary of State, except that an emergency rule adopted by the Department of Economic Opportunity ~~commission~~ and designating an area of critical state concern shall become effective immediately on being filed. Any rule adopted pursuant to this paragraph shall be presented to the Legislature for review pursuant to paragraph (c). A statement of estimated regulatory costs prepared pursuant to s. 120.541 shall not be a ground for a challenge of the rule; however, a landowner shall not be precluded from using adverse economic results as grounds for challenge. Such principles for guiding development shall apply to any development undertaken subsequent to the legislative review pursuant to paragraph (c) of the designation of the area of critical state concern with or without modification but prior to the adoption of land development rules and regulations or a local comprehensive plan for the critical area pursuant to subsections (6) and (8). No boundaries or principles for guiding development shall be adopted without a specific finding by the department ~~commission~~ that the boundaries or principles are consistent with the purpose of the

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designation. The department ~~commission~~ is not authorized to adopt any rule that would provide for a moratorium on development in any area of critical state concern.

(c) A rule adopted by the department ~~commission~~ pursuant to paragraph (b) designating an area of critical state concern and principles for guiding development shall be submitted to the President of the Senate and the Speaker of the House of Representatives for review no later than 30 days prior to the next regular session of the Legislature. The Legislature may reject, modify, or take no action relative to the adopted rule. In its deliberations, the Legislature may consider, among other factors, whether a resource planning and management committee has established a program pursuant to s. 380.045. In addition to any other data and information required pursuant to this chapter, each rule presented to the Legislature shall include a detailed legal description of the boundary of the area of critical state concern, proposed principles for guiding development, and a detailed statement of how the area meets the criteria for designation as provided in subsection (2).

(d) If, after the repeal of the boundary designation of an area of critical state concern pursuant to subsection (15), the state land planning agency determines that the administration of the local land development regulations or a local comprehensive plan within a formerly designated area is inadequate to protect the former area of critical state concern, then the state land

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planning agency may redesignate it ~~recommend to the commission that the area be redesignated~~ as an area of critical state concern. ~~Within 45 days following the receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the same with or without modification.~~ The Department of Economic Opportunity ~~commission~~ may, by rule, make such redesignation effective immediately, at which time the boundaries, regulations, and plans in effect at the time the previous designation was repealed shall be reinstated. Within 90 days of such redesignation, the department ~~commission~~ shall begin rulemaking procedures to designate the area an area of critical state concern under paragraph (b).

(3) Each regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. Each regional planning agency shall solicit from the local governments within its jurisdiction suggestions as to areas to be recommended. A local government in an area where there is no regional planning agency may recommend to the state land planning agency from time to time areas wholly or partially within its jurisdiction that meet the criteria for areas of critical state concern as defined in this section. If the state land planning agency does not recommend to the department

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~~commission~~ as an area of critical state concern an area substantially similar to one that has been recommended, it shall respond in writing as to its reasons therefor.

(4) Prior to making a determination ~~submitting any recommendation to the commission~~ under subsection (1), the state land planning agency shall give notice to any committee appointed pursuant to s. 380.045 and to all local governments and regional planning agencies that include within their boundaries any part of any area of critical state concern proposed to be designated by the rule, in addition to any notice otherwise required under chapter 120.

(5) After the Department of Economic Opportunity ~~commission~~ adopts a rule designating the boundaries of, and principles for guiding development in, an area of critical state concern and within 180 days of such adoption, the local government having jurisdiction may submit to the state land planning agency its existing land development regulations and local comprehensive plan for the area, if any, or shall prepare, adopt, and submit the new or modified regulations and plan, the local government taking into consideration the principles set forth in the rule designating the area.

(8) If any local government fails to submit land development regulations or a local comprehensive plan, or if the regulations or plan or plan amendment submitted do not comply with the principles for guiding development set out in the rule

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designating the area of critical state concern, within 120 days after the adoption of the rule designating an area of critical state concern, or within 120 days after the issuance of a recommended order on the compliance of the plan or plan amendment pursuant to s. 163.3184, or within 120 days after the effective date of an order rejecting a proposed land development regulation, the state land planning agency shall determine ~~submit to the commission recommended~~ land development regulations and a local comprehensive plan or portions thereof, with or without modification, applicable to that local government's portion of the area of critical state concern. ~~Within 45 days following receipt of the recommendation from the agency, the commission shall either reject the recommendation as tendered or adopt the recommendation with or without modification, and by rule establish land development regulations and a local comprehensive plan applicable to that local government's portion of the area of critical state concern.~~ However, such rule shall not become effective prior to legislative review of an area of critical state concern pursuant to paragraph (1)(c). In the rule, the Department of Economic Opportunity ~~commission~~ shall specify the extent to which its land development regulations, plans, or plan amendments will supersede, or will be supplementary to, local land development regulations and plans. Notice of any proposed rule issued under this section shall be given to all local governments and

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regional planning agencies in the area of critical state concern, in addition to any other notice required under chapter 120. The land development regulations and local comprehensive plan adopted by the Department of Economic Opportunity ~~commission~~ under this section may include any type of regulation and plan that could have been adopted by the local government. Any land development regulations or local comprehensive plan or plan amendments adopted by the Department of Economic Opportunity ~~commission~~ under this section shall be administered by the local government as part of, or in the absence of, the local land development regulations and local comprehensive plan.

(9) If, within 12 months after the Department of Economic Opportunity ~~commission~~ adopts a rule designating an area of critical state concern, land development regulations or local comprehensive plans for the area have not become effective under either subsection (6) or subsection (8), the designation of the area as an area of critical state concern terminates. No part of such area may be recommended for redesignation until at least 12 months after the date the designation terminates pursuant to this subsection. The running of the 12-month period subsequent to the initial designation shall be tolled upon challenge pursuant to the provisions of chapter 120 to either the designation of the area of critical state concern or the adoption of land development regulations and local comprehensive plans under subsection (6) or subsection (8).

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(10) At any time after the adoption of land development regulations and plans by the Department of Economic Opportunity ~~commission~~ under this section, a local government may propose land development regulations or a local comprehensive plan which, if approved by the state land planning agency as provided in subsection (6), will supersede any regulations or plans adopted under subsection (8).

(11) Land development regulations or a local comprehensive plan submitted by a local government in an area of critical state concern and approved pursuant to subsection (6) may be amended or rescinded by the local government, but the amendment or rescission becomes effective only upon approval thereof by the state land planning agency. The state land planning agency shall either approve or reject the requested changes within 60 days of receipt thereof. Land development regulations or local comprehensive plans for an area of critical state concern adopted by the Department of Economic Opportunity ~~commission~~ under subsection (8) may be amended or rescinded by rule by the Department of Economic Opportunity ~~commission~~ in the same manner as for original adoption.

(12) Upon the request of a substantially interested person pursuant to s. 120.54(7), a local government or regional planning agency within the designated area, or the state land planning agency, the Department of Economic Opportunity ~~commission~~ may by rule remove, contract, or expand any

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designated boundary. Boundary expansions are subject to legislative review pursuant to paragraph (1)(c). No boundary may be modified without a specific finding by the Department of Economic Opportunity ~~commission~~ that such changes are consistent with necessary resource protection. The total boundaries of an entire area of critical state concern shall not be removed by the Department of Economic Opportunity ~~commission~~ unless a minimum time of 1 year has elapsed from the adoption of regulations and a local comprehensive plan pursuant to subsection (1), subsection (6), subsection (8), or subsection (10). Before totally removing such boundaries, the Department of Economic Opportunity ~~commission~~ shall make findings that the regulations and plans adopted pursuant to subsection (1), subsection (6), subsection (8), or subsection (10) are being effectively implemented by local governments within the area of critical state concern to protect the area and that adopted local government comprehensive plans within the area have been conformed to principles for guiding development for the area.

(15) Any rule adopted pursuant to this section designating the boundaries of an area of critical state concern and the principles for guiding development therein shall be repealed by the Department of Economic Opportunity ~~commission~~ no earlier than 12 months and no later than 3 years after approval by the state land planning agency or adoption by the Department of Economic Opportunity ~~commission~~ of all land development

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regulations and local comprehensive plans pursuant to subsection (6), subsection (8), or subsection (10), and the implementation of all the actions listed in the designation rule for repeal of the designation. Any repeal pursuant to this subsection may be limited to any portion of the area of critical state concern. The repeal must be contingent upon approval by the state land planning agency of local land development regulations and plans pursuant to subsection (6) or subsection (10) and upon such regulations and plans being effective for a period of 12 months.

(22) All state agencies with rulemaking authority for programs that affect a designated area of critical state concern shall review those programs for consistency with the purpose of the designation and principles for guiding development, and shall adopt specific permitting standards and criteria applicable in the designated area, or otherwise amend the program, as necessary to further the purpose of the designation.

(a)1. Within 6 months after the effective date of the rule or statute that designates an area of critical state concern, and at any time thereafter as directed by the Department of Economic Opportunity ~~Administration Commission~~, the Department of Environmental Protection, the Department of Health, the water management districts with jurisdiction over any portion of the area of critical state concern, and any other state agency specified in the designation rule, shall each submit a report to the Department of Economic Opportunity ~~Administration~~

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~~Commission, and a copy of the report to the state land planning agency~~. The report shall evaluate the effect of the reporting agency's programs upon the purpose of the designation.

2. If different permitting standards or criteria, or other changes to the program, are necessary in order to further the purpose of the designation, the report shall recommend rules which further that purpose and which are consistent with the principles for guiding development. The report shall explain and justify the reasons for any different permitting standards or criteria that may be recommended. The Department of Economic Opportunity ~~commission~~ shall reject the agency's recommendation, or accept it with or without modification and direct the agency to adopt rules, including any changes. Any rule adopted pursuant to this paragraph shall be consistent with the principles for guiding development, and shall apply only within the boundary of the designated area. The agency shall file a copy of the adopted rule with the Department of Economic Opportunity ~~Administration Commission~~ and the state land planning agency.

3. If statutory changes are required in order to implement the permitting standards or criteria that are necessary to further the purpose of the designation, the report shall recommend statutory amendments. The Department of Economic Opportunity ~~Administration Commission~~ shall submit any report that recommends statutory amendments to the President of the Senate and the Speaker of the House of Representatives, together

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with the department's ~~Administration Commission's~~ recommendation on the proposed amendments.

(b) The Department of Economic Opportunity ~~Administration Commission~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this subsection.

Section 67. Subsections (3) and (4) of section 380.055, Florida Statutes, are amended to read:

380.055 Big Cypress Area.—

(3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The "Big Cypress Area," as defined in this subsection, is hereby designated as an area of critical state concern. "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Freshwater Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the Board of Trustees of the Internal Improvement Trust Fund, which is the area proposed as the Federal Big Cypress National Freshwater Reserve, Florida, and that area described as follows: Sections 1, 2, 11, 12 and 13 in Township 49 South, Range 31 East; and Township 49 South, Range 32 East, less Sections 19, 30 and 31; and Township 49 South, Range 33 East; and Township 49 South, Range 34 East; and Sections 1 through 5 and 10 through 14 in Township 50 South,

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Range 32 East; and Sections 1 through 18 and 20 through 25 in Township 50 South, Range 33 East; and Township 50 South, Range 34 East, less Section 31; and Sections 1 and 2 in Township 51 South, Range 34 East; All in Collier County, Florida, which described area shall be known as the "Big Cypress National Preserve Addition, Florida," together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of South Florida, or the freshwater aquifer of South Florida, the definitive boundaries of which shall be set in the following manner: Within 120 days following the effective date of this act, the state land planning agency shall determine ~~recommend~~ definitive boundaries for the Big Cypress Area ~~to the Administration Commission,~~ after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the area proposed to be included in the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within 45 days after the conclusion of such hearings ~~following receipt of the recommended boundaries~~, the Department of Economic Opportunity ~~Administration Commission~~ shall adopt, modify, or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

(4) ADOPTION OF LAND DEVELOPMENT REGULATIONS.—The provisions of s. 380.05(5)-(11), (17), and (20) shall not apply

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to the Big Cypress Area. All other provisions of this chapter shall apply to the Big Cypress Area. Any provision of this chapter to the contrary notwithstanding, the state land planning agency has the right, and its duty shall be, to determine the ~~submit recommended~~ land development regulations applicable to the Big Cypress Area ~~to the Administration Commission~~ concurrent with the boundaries determined ~~recommended~~ pursuant to subsection (3). The Department of Economic Opportunity may adopt such determination ~~Administration Commission shall either reject the recommendation as tendered or adopt the same~~ by rule with or without modification. The Department of Economic Opportunity ~~commission~~ shall specify the extent to which regulations adopted pursuant to this section supersede local land development regulations.

Section 68. Subsection (4) and paragraph (b) of subsection (9) of section 380.0552, Florida Statutes, are amended to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—

(a) The designation of the Florida Keys Area as an area of critical state concern under this section may be recommended for removal upon fulfilling the legislative intent under subsection (2) and completion of all the work program tasks specified in rules of the Department of Economic Opportunity ~~Administration Commission~~.

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(b) ~~Beginning November 30, 2010,~~ The state land planning agency shall annually submit a written report to the Governor ~~Administration Commission~~ describing the progress of the Florida Keys Area toward completing the work program tasks specified in the Department of Economic Opportunity's ~~commission~~ rules. The land planning agency shall recommend removing the Florida Keys Area from being designated as an area of critical state concern to the Governor ~~commission~~ if it determines that:

1. All of the work program tasks have been completed, including construction of, operation of, and connection to central wastewater management facilities pursuant to s. 403.086(11) and upgrade of onsite sewage treatment and disposal systems pursuant to s. 381.0065(4)(l);

2. All local comprehensive plans and land development regulations and the administration of such plans and regulations are adequate to protect the Florida Keys Area, fulfill the legislative intent specified in subsection (2), and are consistent with and further the principles guiding development; and

3. A local government has adopted a resolution at a public hearing recommending the removal of the designation.

(c) After receipt of the state land planning agency report and recommendation, the Governor ~~Administration Commission~~ shall determine whether the requirements have been fulfilled and may remove the designation of the Florida Keys as an area of

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critical state concern. If the Governor ~~commission~~ removes the designation, the Department of Economic Opportunity ~~it~~ shall initiate rulemaking to repeal any rules relating to such designation within 60 days. If, after receipt of the state land planning agency's report and recommendation, the Governor ~~commission~~ finds that the requirements for recommending removal of designation have not been met, the Department of Economic Opportunity ~~commission~~ shall provide a written report to the local governments within 30 days after the Governor makes ~~making~~ such a finding detailing the tasks that must be completed by the local government.

(d) The Governor's ~~Administration Commission's~~ determination concerning the removal of the designation of the Florida Keys as an area of critical state concern may be reviewed pursuant to chapter 120. All proceedings shall be conducted by the Division of Administrative Hearings and must be initiated within 30 days after the Governor ~~commission~~ issues his or her ~~its~~ determination.

(e) After removal of the designation of the Florida Keys as an area of critical state concern, the state land planning agency shall review proposed local comprehensive plans, and any amendments to existing comprehensive plans, which are applicable to the Florida Keys Area, the boundaries of which were described in chapter 28-29, Florida Administrative Code, as of January 1, 2006, for compliance as defined in s. 163.3184. All procedures

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and penalties described in s. 163.3184 apply to the review conducted pursuant to this paragraph.

(f) The Department of Economic Opportunity ~~Administration Commission~~ may adopt rules or revise existing rules as necessary to administer this subsection.

(9) MODIFICATION TO PLANS AND REGULATIONS.—

(b) The state land planning agency, after consulting with the appropriate local government, may, no more than once per year, recommend to the Governor ~~Administration Commission~~ the enactment, amendment, or rescission of a land development regulation or element of a local comprehensive plan. Within 45 days following the receipt of such recommendation, the Governor ~~commission~~ shall reject the recommendation, or accept it with or without modification and the Department of Economic Opportunity shall adopt it by rule, including any changes. Such local development regulation or plan must be in compliance with the principles for guiding development.

Section 69. Subsections (4) and (9) and paragraph (f) of subsection (10) of section 380.0555, Florida Statutes, are amended to read:

380.0555 Apalachicola Bay Area; protection and designation as area of critical state concern.—

(4) REMOVAL OF DESIGNATION.—The state land planning agency may recommend to the Governor ~~Administration Commission~~ the removal of the designation from all or part of the area

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specified in subsection (3), if it determines that all local land development regulations and local comprehensive plans and the administration of such regulations and plans are adequate to protect the Apalachicola Bay Area, continue to carry out the legislative intent set forth in subsection (2), and are in compliance with the principles for guiding development set forth in subsection (7). If the Governor ~~Administration Commission~~ concurs with the recommendations of the state land planning agency to remove any area from the designation, the Department of Economic Opportunity ~~it~~ shall, within 45 days after receipt of the recommendation, initiate rulemaking to remove the designation. The state land planning agency shall make recommendations to the Governor ~~Administration Commission~~ annually.

(9) MODIFICATION TO PLANS AND REGULATIONS.—Any land development regulation or element of a local comprehensive plan in the Apalachicola Bay Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon the approval thereof by the state land planning agency. The state land planning agency shall review the proposed change to determine if it complies with the principles for guiding development specified in subsection (7) and must approve or reject the requested change as provided in s. 380.05. Further, the state land planning agency, after consulting with the appropriate local

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government, may, from time to time, determine ~~recommend~~ the enactment, amendment, or rescission of a land development regulation or element of a comprehensive plan. Within 45 days following the determination ~~receipt of such recommendation~~ by the state land planning agency or enactment, amendment, or rescission by a local government the Department of Economic Opportunity ~~commission~~ shall reject the determination ~~recommendation~~, enactment, amendment, or rescission or accept it with or without modification and adopt, by rule, any changes. Any such local land development regulation or comprehensive plan or part of such regulation or plan may be adopted by the Department of Economic Opportunity ~~commission~~ if it finds that it is in compliance with the principles for guiding development.

(10) REQUIREMENTS; LOCAL GOVERNMENTS.—

(f) Franklin County and the municipalities within it shall, beginning 12 months from June 18, 1985, prepare semiannual reports on the implementation of paragraphs (b)-(e) on the environmental status of the Apalachicola Bay Area. The state land planning agency may prescribe additional detailed information required to be reported. Each report shall be delivered to the resource planning and management committee and the state land planning agency for review and recommendations. The state land planning agency shall review each report and consider such reports when making a determination ~~recommendations to the Administration Commission~~ pursuant to

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subsection (9).

Section 70. Subsection (2) and paragraph (b) of subsection (11) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(2) STATEWIDE GUIDELINES AND STANDARDS.—The statewide guidelines and standards and the exemptions specified in s. 380.0651 and the statewide guidelines and standards adopted by the Department of Economic Opportunity ~~Administration Commission~~ and codified in chapter 73 ~~chapter 28-24~~, Florida Administrative Code, must be used in determining whether particular developments are subject to the requirements of subsection (12). The statewide guidelines and standards previously adopted by the Department of Economic Opportunity ~~Administration Commission~~ and approved by the Legislature shall remain in effect unless superseded or repealed by statute. The statewide guidelines and standards shall be applied as follows:

(a) A development that is below 100 percent of all numerical thresholds in the statewide guidelines and standards is not subject to subsection (12).

(b) A development that is at or above 100 percent of any numerical threshold in the statewide guidelines and standards is subject to subsection (12).

(11) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

(b) If requested by the owner, developer, or local government, the development-of-regional-impact development order

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must be abandoned by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development which existed on the date of abandonment has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as defined in s. 380.031 ~~s. 380.031(6)~~, provided such permit or authorization is subject to enforcement through administrative or judicial remedies. All development following abandonment must be fully consistent with the current comprehensive plan and applicable zoning.

Section 71. Section 380.07, Florida Statutes, is amended to read:

380.07 State Land Planning and Areas of Critical State Concern ~~Florida Land and Water Adjudicatory Commission~~.—

(1) ~~There is hereby created the Florida Land and Water Adjudicatory Commission, which shall consist of the Administration Commission.~~ The Department of Economic Opportunity ~~commission~~ may adopt rules necessary to ensure compliance with the area of critical state concern program.

(2) Whenever any local government issues any development order in any area of critical state concern, or in regard to the abandonment of any approved development of regional impact, copies of such orders as prescribed by rule by the state land planning agency shall be transmitted to the state land planning agency, the regional planning agency, and the owner or developer

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of the property affected by such order. The state land planning agency shall adopt rules describing development order rendition and effectiveness in designated areas of critical state concern. Within 45 days after the order is rendered, the owner, the developer, or the state land planning agency may appeal the order to the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ by filing a petition alleging that the development order is not consistent with this part.

(3) Notwithstanding any other provision of law, an appeal of a development order in an area of critical state concern by the state land planning agency under this section may include consistency of the development order with the local comprehensive plan.

(4) The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the local government that issued the order. The filing of the notice of appeal stays the effectiveness of the order until after the completion of the appeal process.

(5) Before issuing a recommended ~~an~~ order, the Division of Administrative Hearings ~~Florida Land and Water Adjudicatory Commission~~ shall hold a hearing pursuant to chapter 120. The Division of Administrative Hearings ~~commission~~ shall encourage the submission of appeals on the record made pursuant to subsection (7) in cases in which the development order was issued after a full and complete hearing before the local

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government or an agency thereof.

(6) After receipt of a recommended order from the Division of Administrative Hearings, the Department of Economic Opportunity ~~The Florida Land and Water Adjudicatory Commission~~ shall issue a final order pursuant to s. 120.57 ~~decision granting or denying permission to develop pursuant to the standards of this chapter and may attach conditions and restrictions to its decisions~~.

(7) If an appeal is filed with respect to any issues within the scope of a permitting program authorized by chapter 161, chapter 373, or chapter 403 and for which a permit or conceptual review approval has been obtained before the issuance of a development order, any such issue shall be specifically identified in the notice of appeal which is filed pursuant to this section, together with other issues that constitute grounds for the administrative review ~~appeal~~. The administrative proceeding ~~appeal~~ may proceed with respect to issues within the scope of permitting programs for which a permit or conceptual review approval has been obtained before the issuance of a development order only after the administrative law judge issues an order ~~commission determines by majority vote at a regularly scheduled commission meeting~~ that statewide or regional interests may be adversely affected by the development. In making this determination, there is a rebuttable presumption that statewide and regional interests relating to issues within

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the scope of the permitting programs for which a permit or conceptual approval has been obtained are not adversely affected.

Section 72. Subsection (2) of section 380.115, Florida Statutes, is amended to read:

380.115 Vested rights and duties; changes in statewide guidelines and standards.—A development that has received a development-of-regional-impact development order pursuant to s. 380.06 but is no longer required to undergo development-of-regional-impact review by operation of law may elect to rescind the development order pursuant to the following procedures:

(2) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as defined in s. 380.031(5) ~~s. 380.031(6)~~, if such permit or authorization is subject to enforcement through administrative or judicial remedies.

Section 73. Paragraph (l) of subsection (4) of section 381.0065, Florida Statutes, as amended by section 7, ch. 2020-150, Laws of Florida, is amended to read:

381.0065 Onsite sewage treatment and disposal systems;

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regulation.—

(4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the department. A construction permit is valid for 18 months after the date of issuance and may be extended by the department for one 90-day period under rules adopted by the department. A repair permit is valid for 90 days after the date of issuance. An operating permit must be obtained before the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year after the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years after the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage

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treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. A fee is not associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not

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approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(l) For the Florida Keys, the department shall adopt a special rule for the construction, installation, modification, operation, repair, maintenance, and performance of onsite sewage treatment and disposal systems which considers the unique soil conditions and water table elevations, densities, and setback requirements. On lots where a setback distance of 75 feet from surface waters, saltmarsh, and buttonwood association habitat areas cannot be met, an injection well, approved and permitted by the department, may be used for disposal of effluent from onsite sewage treatment and disposal systems. The following additional requirements apply to onsite sewage treatment and disposal systems in Monroe County:

1. The county, each municipality, and those special districts established for the purpose of the collection, transmission, treatment, or disposal of sewage shall ensure, in accordance with the specific schedules adopted ~~by the Administration Commission under~~ s. 380.0552, the completion of onsite sewage treatment and disposal system upgrades to meet the requirements of this paragraph.

2. Onsite sewage treatment and disposal systems must cease discharge by December 31, 2015, or must comply with department

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rules and provide the level of treatment which, on a permitted annual average basis, produces an effluent that contains no more than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.

b. Suspended Solids of 10 mg/l.

c. Total Nitrogen, expressed as N, of 10 mg/l or a reduction in nitrogen of at least 70 percent. A system that has been tested and certified to reduce nitrogen concentrations by at least 70 percent shall be deemed to be in compliance with this standard.

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to an injection well must provide basic disinfection as defined by department rule.

3. In areas not scheduled to be served by a central sewerage system, onsite sewage treatment and disposal systems must, by December 31, 2015, comply with department rules and provide the level of treatment described in subparagraph 2.

4. In areas scheduled to be served by a central sewerage system by December 31, 2015, if the property owner has paid a connection fee or assessment for connection to the central sewerage system, the property owner may install a holding tank with a high water alarm or an onsite sewage treatment and disposal system that meets the following minimum standards:

a. The existing tanks must be pumped and inspected and certified as being watertight and free of defects in accordance

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with department rule; and

b. A sand-lined drainfield or injection well in accordance with department rule must be installed.

5. Onsite sewage treatment and disposal systems must be monitored for total nitrogen and total phosphorus concentrations as required by department rule.

6. The department shall enforce proper installation, operation, and maintenance of onsite sewage treatment and disposal systems pursuant to this chapter, including ensuring that the appropriate level of treatment described in subparagraph 2. is met.

7. The authority of a local government, including a special district, to mandate connection of an onsite sewage treatment and disposal system is governed by s. 4, chapter 99-395, Laws of Florida.

8. Notwithstanding any other law, an onsite sewage treatment and disposal system installed after July 1, 2010, in unincorporated Monroe County, excluding special wastewater districts, that complies with the standards in subparagraph 2. is not required to connect to a central sewerage system until December 31, 2020.

Section 74. Paragraph (c) of subsection (2) of section 388.4111, Florida Statutes, is amended to read:

388.4111 Public lands; arthropod control.—

(2)

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(c) If the land management agency and the local arthropod control agency are unable to agree on a public lands control plan, the Florida Coordinating Council on Mosquito Control may recommend a control plan to the department, which shall propose a recommended public lands control plan. If the land management agency and the local arthropod control agency fail to agree to such recommended public lands control plan within 30 days of the rendering of such plan, either agency may petition the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ to determine whether the proposed control plan employs methods which are the minimum necessary and economically feasible to abate a public health or nuisance problem and which impose the least hazard to fish, wildlife, and other natural resources protected or managed in such areas. Unless both parties waive their right to a hearing, the Division of Administrative Hearings ~~Land and Water Adjudicatory Commission~~ shall direct a hearing officer to hold a hearing within the jurisdiction of the local arthropod control agency pursuant to the provisions of ss. 120.569 and 120.57 and submit a recommended order. The Department of Economic Opportunity ~~commission~~ shall, within 60 days of receipt of the recommended order, issue a final order adopting a public lands control plan. Consistent with s. 120.57(1)(l), the Department of Economic Opportunity ~~commission~~ may adopt or modify the proposed control plan. The Department of Economic Opportunity ~~commission~~ shall

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adopt rules on the conduct of appeals before the department ~~commission~~.

Section 75. Effective July 1, 2021, paragraph (b) of subsection (1) of section 397.333, Florida Statutes, is amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.

2. The executive director of the Department of Law Enforcement, or his or her designee.

3. The Secretary of Children and Families, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

Section 76. Subsection (35) of section 403.061, Florida

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Statutes, is amended to read:

403.061 Department; powers and duties.—The department shall have the power and the duty to control and prohibit pollution of air and water in accordance with the law and rules adopted and promulgated by it and, for this purpose, to:

(35) Adopt rules which may include stricter permitting and enforcement provisions within Outstanding Florida Waters, aquatic preserves, areas of critical state concern, and areas subject to chapter 380 resource management plans adopted by rule by the Department of Economic Opportunity ~~Administration Commission~~, when the plans for an area include waters that are particularly identified as needing additional protection, which provisions are not inconsistent with the applicable rules adopted for the management of such areas by the department and the Department of Economic Opportunity ~~Governor and Cabinet~~.

The department shall implement such programs in conjunction with its other powers and duties and shall place special emphasis on reducing and eliminating contamination that presents a threat to humans, animals or plants, or to the environment.

Section 77. Subsection (4) of section 581.217, Florida Statutes, is amended to read:

581.217 State hemp program.—

(4) FEDERAL APPROVAL.—The department shall seek approval of the state plan for the regulation of the cultivation of hemp

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with the United States Secretary of Agriculture in accordance with 7 U.S.C. s. 1639p within 30 days after adopting rules. If the state plan is not approved by the United States Secretary of Agriculture, the Commissioner of Agriculture, in consultation with and with final approval from the Governor ~~Administration Commission~~, shall develop a recommendation to amend the state plan and submit the recommendation to the Legislature.

Section 78. Subsection (3) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(3) Notwithstanding other provisions of law, the distribution of the premium tax and any penalties or interest collected thereunder shall be made to the General Revenue Fund in accordance with rules adopted by the Department of Revenue ~~and approved by the Administration Commission~~.

Section 79. Effective July 1, 2021, paragraph (b) of subsection (1) of section 943.0313, Florida Statutes, is amended to read:

943.0313 Domestic Security Oversight Council.—The Legislature finds that there exists a need to provide executive direction and leadership with respect to terrorism prevention, preparation, protection, response, and recovery efforts by state and local agencies in this state. In recognition of this need, the Domestic Security Oversight Council is hereby created. The council shall serve as an advisory council pursuant to s.

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20.03(7) to provide guidance to the state's regional domestic security task forces and other domestic security working groups and to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and domestic security efforts.

(1) MEMBERSHIP.—

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles.

2. The Secretary of Health Care Administration.

3. The Secretary of Environmental Protection.

4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.

5. A representative of the Commission on Human Relations.

6. A representative of the United States Coast Guard.

7. A United States Attorney from a federal judicial circuit within this state.

8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.

Section 80. Effective July 1, 2021, subsection (1) of section 943.06, Florida Statutes, is amended to read:

943.06 Criminal and Juvenile Justice Information Systems

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Council.—There is created a Criminal and Juvenile Justice Information Systems Council within the department.

(1) The council shall be composed of 15 members, consisting of the Attorney General or a designated assistant; the executive director of the Department of Law Enforcement or a designated assistant; the secretary of the Department of Corrections or a designated assistant; the chair of the Florida Commission on Offender Review or a designated assistant; the Secretary of Juvenile Justice or a designated assistant; the Secretary ~~executive director of the Department~~ of Highway Safety and Motor Vehicles or a designated assistant; the Secretary of Children and Families or a designated assistant; the State Courts Administrator or a designated assistant; one ~~1~~ public defender appointed by the Florida Public Defender Association, Inc.; one ~~1~~ state attorney appointed by the Florida Prosecuting Attorneys Association, Inc.; and five ~~5~~ members, to be appointed by the Governor, consisting of two ~~2~~ sheriffs, two ~~2~~ police chiefs, and one ~~1~~ clerk of the circuit court.

Section 81. Subsections (4) through (7) of section 945.6035, Florida Statutes, are amended to read:

945.6035 Dispute resolution.—

(4) If, at the end of the 40-day period, no resolution has been reached, the authority is authorized to appeal to the Division of Administrative Hearings ~~Administration Commission~~ for a review and resolution of the dispute between the

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department and the authority.

(5) The authority, within 30 days after receiving written notice of the action of the secretary or, if no response is received, within 30 days after the secretary's response is due pursuant to subsection (3), may file an appeal by petition to the Division of Administrative Hearings ~~Administration Commission, filed with the Secretary of the Administration Commission~~. The petition shall set forth the issues in controversy between the authority and the department, in the form and manner prescribed by the Division of Administrative Hearings ~~Administration Commission~~, and shall contain the reasons for the appeal. The department has 5 days after delivery of a copy of any such petition to file its reply with the Division of Administrative Hearings ~~Secretary of the Administration Commission~~, and the department shall also deliver a copy of its reply to the authority.

(6) The issues which may be raised by the authority on appeal to the Division of Administrative Hearings ~~Administration Commission~~ are:

(a) Adoption or implementation by the department of a health care standard which does not conform to the standard of care generally accepted in the professional health community at large.

(b) Failure of the department to comply with an adopted health care standard.

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(c) Failure to timely file a corrective action plan regarding all deficiencies which are determined by the authority to exist at an institution, as required pursuant to s. 945.6031.

(d) Failure to implement a corrective action plan filed pursuant to s. 945.6031.

(7) Within 30 days after receipt of a petition from the authority, the Division of Administrative Hearings ~~Secretary of the Administration Commission, or his or her designee,~~ shall conduct an informal hearing to consider the matters presented in the petition and the reply, and after the informal hearing shall promptly submit a report of the findings ~~and recommendations to the Administration Commission~~. Within 30 days after the informal hearing, the Division of Administrative Hearings ~~Administration Commission~~ shall approve either the position of the authority or that of the department. If the position of the authority is approved, the Division of Administrative Hearings ~~Administration Commission~~ shall set forth whatever remedial measures it deems appropriate and the department shall implement such remedial measures. ~~The decision of the Administration Commission is final and binding on the authority and the department and shall not be subject to appeal pursuant to s. 120.68.~~

Section 82. Section 945.6036, Florida Statutes, is amended to read:

945.6036 Enforcement.—

(1) If the department fails to substantially comply with

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the dispute resolution decision of the Division of Administrative Hearings ~~Administration Commission~~ or fails to implement required remedial action within 45 days after such decision or within the time period set by the Division of Administrative Hearings ~~Administration Commission~~, whichever period is longer, the authority is authorized to petition the Circuit Court in Leon County for an order requiring the department to comply. For the purposes of this section, "substantial compliance" means a firm effort to comply fully with the decision without omitting any essential part, and that any omission consists solely of an unimportant defect.

(2) If the authority fails to initiate a circuit court proceeding pursuant to this section, an inmate has the right to file a verified petition with the authority requesting that such a proceeding be initiated. The petition shall set forth with particularity the manner in which the department has failed to implement the decision of the Division of Administrative Hearings ~~Administration Commission~~, including any required remedial actions. The authority has 45 days after receipt of a verified petition to either initiate an action in circuit court pursuant to this section or advise the inmate in writing of the reason such an action will not be initiated.

(3) Within 30 days after service of the written decision of the authority setting forth its reason why an action will not be initiated by the authority pursuant to this section, an

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inmate may initiate an appropriate proceeding in the Circuit Court in Leon County to require the department to substantially comply with the decision of the Division of Administrative Hearings ~~Administration Commission~~.

Section 83. Paragraph (p) of subsection (9) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(9) CHARTER SCHOOL REQUIREMENTS.—

(p)1. Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

2. Each charter school's governing board must appoint a representative to facilitate parental involvement, provide access to information, assist parents and others with questions and concerns, and resolve disputes. The representative must reside in the school district in which the charter school is located and may be a governing board member, a charter school employee, or an individual contracted to represent the governing board. If the governing board oversees multiple charter schools

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in the same school district, the governing board must appoint a separate representative for each charter school in the district. The representative's contact information must be provided annually in writing to parents and posted prominently on the charter school's website. The sponsor may not require governing board members to reside in the school district in which the charter school is located if the charter school complies with this subparagraph.

3. Each charter school's governing board must hold at least two public meetings per school year in the school district where the charter school is located. The meetings must be noticed, open, and accessible to the public, and attendees must be provided an opportunity to receive information and provide input regarding the charter school's operations. The appointed representative and charter school principal or director, or his or her designee, must be physically present at each meeting. Members of the governing board may attend in person or by means of communications media technology used in accordance with rules adopted by the Department of Education ~~Administration Commission~~ under s. 120.54(5).

Section 84. Paragraph (e) of subsection (4) of section 1002.36, Florida Statutes, is amended to read:

1002.36 Florida School for the Deaf and the Blind.—

(4) BOARD OF TRUSTEES.—

(e) The board of trustees is invested with full power and

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authority to:

1. Appoint a president, faculty, teachers, and other employees and remove the same as in its judgment may be best and fix their compensation.

2. Procure professional services, such as medical, mental health, architectural, and engineering.

3. Procure legal services without the prior written approval of the Attorney General.

4. Determine eligibility of students and procedure for admission.

5. Provide for the students of the school necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents, except that the board of trustees may set tuition and other fees for nonresidents.

6. Provide for the proper keeping of accounts and records and for budgeting of funds.

7. Enter into contracts.

8. Sue and be sued.

9. Secure public liability insurance.

10. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible, the board of trustees taking into consideration the purposes of the establishment.

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11. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity. However, the board of trustees may not obligate the state to any expenditure or policy that is not specifically authorized by law. If the bill of sale, will, trust indenture, deed, or other legal conveyance specifies terms and conditions concerning the use of such money or property, the board of trustees shall observe such terms and conditions.

12. Deposit outside the State Treasury such moneys as are received as gifts, donations, or bequests and may disburse and expend such moneys, upon its own warrant, for the use and benefit of the Florida School for the Deaf and the Blind and its students, as the board of trustees deems to be in the best interest of the school and its students. Such money or property does not constitute and may not be considered a part of any legislative appropriation.

13. Sell or convey by bill of sale, deed, or other legal instrument any property, real or personal, received as a gift, donation, or bequest, upon such terms and conditions as the board of trustees deems to be in the best interest of the school and its students.

14. Invest such moneys in securities enumerated under s. 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund, an Investment Management Fund exclusively for nonprofit

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educational institutions.

15. After receiving approval from the Department of Economic Opportunity ~~Administration Commission~~, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

Section 85. Section 1013.25, Florida Statutes, is amended to read:

1013.25 When university or Florida College System institution board of trustees may exercise power of eminent domain.—Whenever it becomes necessary for the welfare and convenience of any of its institutions or divisions to acquire private property for the use of such institutions, and this cannot be acquired by agreement satisfactory to a university or Florida College System institution board of trustees and the parties interested in, or the owners of, the private property, the board of trustees may exercise the power of eminent domain after receiving approval therefor from the Department of Economic Opportunity ~~Administration Commission~~ and may then proceed to condemn the property in the manner provided by chapter 73 or chapter 74.

Section 86. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2022.

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From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: Constitutional amendment regarding - rights
Date: Wednesday, December 1, 2021 2:52:37 PM
Attachments: Protecting Constitutional Rights of Floridians.docx

---

One more…..

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the removal of fundamental rights in Article I of the State Constitution by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution, except the removal of the fundamental rights codified in Article I of this constitution, by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001701

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING CITIZEN INITIATIVE PROPOSALS FROM REMOVING ARTICLE I CONSTITUTIONAL RIGHTS-

Proposing an amendment to the State Constitution to prohibit a citizens initiative proposals from removing fundamental rights in Article I of the Florida Constitution.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001702

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	Constitutional amendment regarding - rights
Date:	Wednesday, December 1, 2021 2:52:34 PM
Attachments:	Protecting Constitutional Rights of Floridians.docx

One more…..

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the removal of fundamental rights in Article I of the State Constitution by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution, except the removal of the fundamental rights codified in Article I of this constitution, by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001704

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING CITIZEN INITIATIVE PROPOSALS FROM REMOVING ARTICLE I CONSTITUTIONAL RIGHTS-

Proposing an amendment to the State Constitution to prohibit a citizens initiative proposals from removing fundamental rights in Article I of the Florida Constitution.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001705

From:	Kopelousos, Stephanie
To:	"Shays, Tonya"; "Heffley, Katelyn"
Cc:	Burdette,Brenda
Subject:	Constitutional amendment regarding - rights
Date:	Wednesday, December 1, 2021 2:52:39 PM
Attachments:	Protecting Constitutional Rights of Floridians.docx

One more…..

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to prohibit the removal of fundamental rights in Article I of the State Constitution by citizen initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution, except the removal of the fundamental rights codified in Article I of this constitution, by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001707

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROTECTION OF FUNDAMENTAL RIGHTS; PROHIBITING CITIZEN INITIATIVE PROPOSALS FROM REMOVING ARTICLE I CONSTITUTIONAL RIGHTS-

Proposing an amendment to the State Constitution to prohibit a citizens initiative proposals from removing fundamental rights in Article I of the Florida Constitution.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001708

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	Do you have the draft for 5-01290-22
Date:	Monday, January 3, 2022 5:24:50 PM

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: Do you have the draft for 5-01290-22
Date: Monday, January 3, 2022 5:24:50 PM

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: FW: Constitutional amendment - % vote per county
Date: Wednesday, December 1, 2021 1:59:29 PM
Attachments: Approval of a constitutional amendment by each county.docx

---

Can you please put in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to increase the threshold requirements need to amend the state constitution by initiative.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. Such initiatives must be approved by a vote of at least sixty percent of the electors

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001712

voting on the measure in each and every county. Any proposed citizen initiative amendment which fails to gain the sixty percent vote required in each and every county shall be null, void, and without effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROCEDURE FOR CITIZEN INITIATIVES; REQUIRING APPROVAL BY EVERY COUNTY ELECTORATE TO AMEND THE CONSTITUTION.-Proposing an amendment to the State Constitution to require each county electorate to approve a citizen initiative proposal for such a proposal to be adopted, instead of single statewide election.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya; Heffley, Katelyn
Cc:	Burdette,Brenda
Subject:	FW: Constitutional amendment - % vote per county
Date:	Wednesday, December 1, 2021 1:59:25 PM
Attachments:	Approval of a constitutional amendment by each county.docx

Can you please put in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to increase the threshold requirements need to amend the state constitution by initiative.

Be It Resolved by the Legislature of the State of Florida:

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ARTICLE XI

AMENDMENTS

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001715

voting on the measure in each and every county. Any proposed citizen initiative amendment which fails to gain the sixty percent vote required in each and every county shall be null, void, and without effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROCEDURE FOR CITIZEN INITIATIVES; REQUIRING APPROVAL BY EVERY COUNTY ELECTORATE TO AMEND THE CONSTITUTION.-Proposing an amendment to the State Constitution to require each county electorate to approve a citizen initiative proposal for such a proposal to be adopted, instead of single statewide election.

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V

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: FW: Constitutional amendment - % vote per county
Date: Wednesday, December 1, 2021 1:59:31 PM
Attachments: Approval of a constitutional amendment by each county.docx

---

Can you please put in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to increase the threshold requirements need to amend the state constitution by initiative.

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That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

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CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001718

voting on the measure in each and every county. Any proposed citizen initiative amendment which fails to gain the sixty percent vote required in each and every county shall be null, void, and without effect.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

PROCEDURE FOR CITIZEN INITIATIVES; REQUIRING APPROVAL BY EVERY COUNTY ELECTORATE TO AMEND THE CONSTITUTION.-Proposing an amendment to the State Constitution to require each county electorate to approve a citizen initiative proposal for such a proposal to be adopted, instead of single statewide election.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001720

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Bradley.Jennifer
Subject: FW: MEDIA ADVISORY: Governor Ron DeSantis Press Conference in Lake Butler
Date: Friday, January 7, 2022 8:30:16 AM

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Friday, January 7, 2022 6:31 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: MEDIA ADVISORY: Governor Ron DeSantis Press Conference in Lake Butler

For Immediate Release: January 7, 2022
Contact: Governor's Press Office, (850) 717-9282, Media@eog.myflorida.com

MEDIA ADVISORY
Governor Ron DeSantis to Hold a Press Conference in Lake Butler

Lake Butler, Fla. — Governor Ron DeSantis will hold a press conference in Lake Butler on Friday, January 7th.

All interested and credentialed media must RSVP to
Sydney.Booker@eog.myflorida.com

WHAT: Press Conference

WHO: Governor Ron DeSantis
DEO Secretary Dane Eagle

WHEN: Friday, January 7, 2022 at 10:15 AM
Media Arrival Time: 9:45 AM

WHERE: **Lake Butler City Hall**
200 Southwest 1st Street
Lake Butler, FL 32054

###

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From: Kopelousos, Stephanie
To: Bradley.Jennifer
Subject: FW: MEDIA ADVISORY: Governor Ron DeSantis Press Conference in Lake Butler
Date: Friday, January 7, 2022 8:30:16 AM

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Friday, January 7, 2022 6:31 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: MEDIA ADVISORY: Governor Ron DeSantis Press Conference in Lake Butler

For Immediate Release: January 7, 2022
Contact: Governor's Press Office, (850) 717-9282, Media@eog.myflorida.com

MEDIA ADVISORY
Governor Ron DeSantis to Hold a Press Conference in Lake Butler

Lake Butler, Fla. — Governor Ron DeSantis will hold a press conference in Lake Butler on Friday, January 7th.

All interested and credentialed media must RSVP to
Sydney.Booker@eog.myflorida.com

WHAT: Press Conference

WHO: Governor Ron DeSantis
DEO Secretary Dane Eagle

WHEN: Friday, January 7, 2022 at 10:15 AM
Media Arrival Time: 9:45 AM

AMERICAN OVERSIGHT

WHERE: **Lake Butler City Hall**
200 Southwest 1st Street
Lake Butler, FL 32054

###

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Tallahassee, FL | 32399 US

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	FW: Possible Public Record Exemption Provision in Bill
Date:	Sunday, January 2, 2022 3:28:25 PM
Attachments:	Document2 [Compatibility Mode].docx image001.png Document3 [Compatibility Mode].docx

This aligns to your 5-01262022 see House requests and comments

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption

AMERICAN OVERSIGHT

provision in it. See subsection (3) on lines 119-130.

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

House Bill Drafting Service
Florida House of Representatives
1501 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Phone: (850) 717-5300

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to a review under the open Government Sunset Review Act; specifying that any exempt or confidential and exempt information obtained by the Department of Financial Services retains its exempt or confidential and exempt status; providing an exemption from public records requirements for investigations of the department wherein exempt or confidential and exempt information is discussed; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 221.09, Florida Statutes as created by XXX, to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state,

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001726

to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and is repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001727

HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-001728

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; creating s. 221.09, F.S.; authorizing the Department of Financial Services to establish fees relating to Out-of-state income tax collector licensing; requiring applicants to pay a specified fee in order to be eligible to collect, investigate, or determine out-of-state personal income taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act shall take effect July 1, 2022.

Section 2. Section 221.09, Florida Statutes, is created to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) Fees collected pursuant to this chapter must be deposited into the Department of Financial Services Administrative Trust Fund.

(5) The fee for licensure as an out-of-state income tax collector shall not exceed $50,000 for the initial license and $25,000 for a renewal license.

Section 3. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001730

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: FW: Possible Public Record Exemption Provision in Bill
Date: Sunday, January 2, 2022 3:28:25 PM
Attachments: Document2 [Compatibility Mode].docx
image001.png
Document3 [Compatibility Mode].docx

This aligns to your 5-01262022 see House requests and comments

---

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

---

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption provision in it. See subsection (3) on lines 119-130.

AMERICAN OVERSIGHT

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

House Bill Drafting Service
Florida House of Representatives
1501 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Phone: (850) 717-5300

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to a review under the open Government Sunset Review Act; specifying that any exempt or confidential and exempt information obtained by the Department of Financial Services retains its exempt or confidential and exempt status; providing an exemption from public records requirements for investigations of the department wherein exempt or confidential and exempt information is discussed; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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Section 1. Section 221.09, Florida Statutes as created by XXX, to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state,

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001733

to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and is repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001734

HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-001735

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; creating s. 221.09, F.S.; authorizing the Department of Financial Services to establish fees relating to Out-of-state income tax collector licensing; requiring applicants to pay a specified fee in order to be eligible to collect, investigate, or determine out-of-state personal income taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act shall take effect July 1, 2022.

Section 2. Section 221.09, Florida Statutes, is created to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of

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V

AMERICAN OVERSIGHT

any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) Fees collected pursuant to this chapter must be deposited into the Department of Financial Services Administrative Trust Fund.

(5) The fee for licensure as an out-of-state income tax collector shall not exceed $50,000 for the initial license and $25,000 for a renewal license.

Section 3. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001737

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: FW: Possible Public Record Exemption Provision in Bill
Date: Sunday, January 2, 2022 3:28:35 PM
Attachments: Document2 [Compatibility Mode].docx
image001.png
Document3 [Compatibility Mode].docx

This aligns to your 5-01262022 see House requests and comments

---

From: Kopelousos, Stephanie
Sent: Sunday, January 2, 2022 3:12 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

Here is the draft public Records bill and fee bill. Call when you can further discuss

---

From: Kopelousos, Stephanie
Sent: Thursday, December 30, 2021 5:17 PM
To: Kimmey, Ryan <ryan.kimmey@myfloridahouse.gov>
Subject: RE: Possible Public Record Exemption Provision in Bill

We do want a public records exemption

From: Kimmey, Ryan <Ryan.Kimmey@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 2:14 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Fwd: Possible Public Record Exemption Provision in Bill

FYI

From: Havlicak, Randy <Randy.Havlicak@myfloridahouse.gov>
Sent: Wednesday, December 22, 2021 14:08
To: Kimmey, Ryan
Subject: Possible Public Record Exemption Provision in Bill

Ryan:

Attached is your draft #82769 relating to out-of-state personal income tax collection. I just released it to Rep. Garrison's dashboard for review and approval. I wanted to bring to your attention something the drafter has mentioned to you; it seems this bill may have a public records exemption provision in it. See subsection (3) on lines 119-130.

AMERICAN OVERSIGHT

You may want to check with House Government Operations Subcommittee staff to verify whether this is a public records exemption. If it is, there are two options going forward. They are:

Remove this provision from the bill and file it without this provision; or

Submit a bill draft request in Leagis for a linked public records exemption bill. Under this option we would draft a separate bill for the exemption and would need from you a public necessity statement.

If you have any questions, please feel free to call us.

Thanks,

Randy L. Havlicak
Staff Director

House Bill Drafting Service
Florida House of Representatives
1501 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Phone: (850) 717-5300

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to a review under the open Government Sunset Review Act; specifying that any exempt or confidential and exempt information obtained by the Department of Financial Services retains its exempt or confidential and exempt status; providing an exemption from public records requirements for investigations of the department wherein exempt or confidential and exempt information is discussed; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 221.09, Florida Statutes as created by XXX, to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state,

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001740

to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and is repealed on October 2, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001741

HOUSE BILL DRAFTING SERVICE

OV-22-0226, 20-0378-A-001742

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; creating s. 221.09, F.S.; authorizing the Department of Financial Services to establish fees relating to Out-of-state income tax collector licensing; requiring applicants to pay a specified fee in order to be eligible to collect, investigate, or determine out-of-state personal income taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act shall take effect July 1, 2022.

Section 2. Section 221.09, Florida Statutes, is created to read:

221.09 Powers and duties of the department.—

(1) The department is responsible for the administration of this chapter. The department may adopt rules to implement this chapter.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, must be accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department may, without advance notice, conduct examinations and investigations, within or outside this state, to determine whether a person has violated this part or related rules. For purposes of this section, the department may examine the books, accounts, records, and other documents or matters of

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001743

any person subject to this part. The department may compel the production of all relevant books, records, and other documents and materials relative to an examination or investigation. Examinations may not be made more often than once during a 48-month period unless the department has reason to believe a person has violated or will violate this part or related rules.

(4) Fees collected pursuant to this chapter must be deposited into the Department of Financial Services Administrative Trust Fund.

(5) The fee for licensure as an out-of-state income tax collector shall not exceed $50,000 for the initial license and $25,000 for a renewal license.

Section 3. This act shall take effect on the same date that XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

CODING: Words stricken are deletions; words underlined are additions.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001744

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F409FDB1C2794A899AD20EEFCCC9F050-BURDETTE,BR on behalf of Kopelousos, Stephanie
To: Shays.Tonya@flsenate.gov
Subject: FW: can you drop this in bill drafting
Date: Wednesday, December 1, 2021 11:17:00 AM
Attachments: Attorneys Fees Language.docx

Do you have a Bill Draft Number for this one?

Thanks
Stephanie

From: Kopelousos, Stephanie
Sent: Wednesday, November 24, 2021 6:47 PM
To: 'shays.tonya@flsenate.gov' <shays.tonya@flsenate.gov>
Subject: can you drop this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to attorney fees; amending s. 119.12, F.S.; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) and (2) of section 119.12, Florida Statutes, is amended to read:

(1) If a civil action is filed against an agency to enforce the provisions of this chapter, the court shall assess and award the reasonable costs of enforcement, including reasonable attorney fees, against the responsible agency if the court determines that:

(a) The agency unlawfully refused to permit a public record to be inspected or copied within a reasonable period from the date of the public record request; ~~and~~

(b) The complainant provided, beyond a reasonable period from the date of the public record request, written presuit notice of intent to initiate a civil action to enforce the provisions of this chapter identifying the public record request to the agency's custodian of public records at least 5 business days before filing the civil action, except as provided under subsection (2). The presuit notice period begins on the day the written presuit notice of the request is received by the custodian of public records, excluding Saturday, Sunday, and legal holidays, and runs until 5 business days have elapsed; and~~.~~

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001746

(c) The written presuit notice must contain the following statement, in substantially the following form, identifying the contact information of the complainant in at least 14-point boldfaced type: 5-DAY WRITTEN PRESUIT NOTICE OF INTENT TO INITIATE A CIVIL ACTION UNDER CHAPTER 119, FLORIDA STATUTES – PUBLIC RECORD REQUEST – CONTACT THE COMPLAINANT AT (telephone number, e-mail address, and mailing address).

(2) The complainant is not required to provide written presuit notice of the public record request to the agency's custodian of public records as provided in paragraph (1)(b) if the agency does not prominently post the contact information for the agency's custodian of public records in the agency's primary administrative building in which public records are routinely created, sent, received, maintained, and requested and on the agency's website, if the agency has a website.

(3) The court shall determine whether the complainant requested to inspect or copy a public record or participated in the civil action for an improper purpose. If the court determines there was an improper purpose, the court may not assess and award the reasonable costs of enforcement, including reasonable attorney fees, to the complainant, and shall assess and award against the complainant and to the agency the reasonable costs, including reasonable attorney fees, incurred by the agency in responding to the civil action. For purposes of this subsection, the term "improper purpose" means a request to inspect or copy a public record or to participate in the civil action primarily to cause a violation of this chapter or for a frivolous purpose.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001747

(4) This section does not create a private right of action authorizing the award of monetary damages for a person who brings an action to enforce the provisions of this chapter. Payments by the responsible agency may include only the reasonable costs of enforcement, including reasonable attorney fees, directly attributable to a civil action brought to enforce the provisions of this chapter.

Section 2. This act shall take effect July 1, 2022.

This act shall take effect July 1, 2009.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001748

From: Kopelousos, Stephanie
To: "Shays.Tonya@flsenate.gov"
Subject: FW: can you drop this in bill drafting
Date: Wednesday, December 1, 2021 11:17:06 AM
Attachments: Attorneys Fees Language.docx

Do you have a Bill Draft Number for this one?

Thanks
Stephanie

From: Kopelousos, Stephanie
Sent: Wednesday, November 24, 2021 6:47 PM
To: 'shays.tonya@flsenate.gov' <shays.tonya@flsenate.gov>
Subject: can you drop this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to attorney fees; amending s. 119.12, F.S.; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) and (2) of section 119.12, Florida Statutes, is amended to read:

(1) If a civil action is filed against an agency to enforce the provisions of this chapter, the court shall assess and award the reasonable costs of enforcement, including reasonable attorney fees, against the responsible agency if the court determines that:

(a) The agency unlawfully refused to permit a public record to be inspected or copied within a reasonable period from the date of the public record request; ~~and~~

(b) The complainant provided, beyond a reasonable period from the date of the public record request, written presuit notice of intent to initiate a civil action to enforce the provisions of this chapter identifying the public record request to the agency's custodian of public records at least 5 business days before filing the civil action, except as provided under subsection (2). The presuit notice period begins on the day the written presuit notice of the request is received by the custodian of public records, excluding Saturday, Sunday, and legal holidays, and runs until 5 business days have elapsed; and~~.~~

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001750

(c) The written presuit notice must contain the following statement, in substantially the following form, identifying the contact information of the complainant in at least 14-point boldfaced type: 5-DAY WRITTEN PRESUIT NOTICE OF INTENT TO INITIATE A CIVIL ACTION UNDER CHAPTER 119, FLORIDA STATUTES – PUBLIC RECORD REQUEST – CONTACT THE COMPLAINANT AT (telephone number, e-mail address, and mailing address).

(2) The complainant is not required to provide written presuit notice of the public record request to the agency's custodian of public records as provided in paragraph (1)(b) if the agency does not prominently post the contact information for the agency's custodian of public records in the agency's primary administrative building in which public records are routinely created, sent, received, maintained, and requested and on the agency's website, if the agency has a website.

(3) The court shall determine whether the complainant requested to inspect or copy a public record or participated in the civil action for an improper purpose. If the court determines there was an improper purpose, the court may not assess and award the reasonable costs of enforcement, including reasonable attorney fees, to the complainant, and shall assess and award against the complainant and to the agency the reasonable costs, including reasonable attorney fees, incurred by the agency in responding to the civil action. For purposes of this subsection, the term "improper purpose" means a request to inspect or copy a public record or to participate in the civil action primarily to cause a violation of this chapter or for a frivolous purpose.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001751

(4) This section does not create a private right of action authorizing the award of monetary damages for a person who brings an action to enforce the provisions of this chapter. Payments by the responsible agency may include only the reasonable costs of enforcement, including reasonable attorney fees, directly attributable to a civil action brought to enforce the provisions of this chapter.

Section 2. This act shall take effect July 1, 2022.

This act shall take effect July 1, 2009.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001752

From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: FW: edits to Bill Draft 1484
Date: Wednesday, January 5, 2022 11:45:35 AM
Attachments: image001.png
UPDATED S Feedback - Draft 01484 FHSAA - 1.4.22 - SC.docx

From: Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>
Sent: Wednesday, January 5, 2022 11:29 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Cc: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Boam, Austin <Austin.Boam@LASPBS.STATE.FL.US>
Subject: RE: edits to Bill Draft 1484

Alex,

I think my track changes in lines 139-140 and 211-213 will address the concern below. If you agree, we will accept the changes and send back to you and Stephanie in the correct format.

Call me or Austin with any questions,
Shelb

Shelby Cecil
Policy Coordinator, Education Unit- Office of Policy and Budget
Executive Office of the Governor
E-mail: Shelby.Cecil@LASPBS.State.FL.US
Direct: (850) 717-9303

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, January 5, 2022 11:13 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>
Subject: FW: edits to Bill Draft 1484

See comments below related to redraft

This is still in redraft, but I noticed some comments that I may not have shared so I wanted to do so / this is pre-edits you sent:
Hello Katelyn
The changes vesting legislative power in the board of directors and saying it acts as a representative

AMERICAN OVERSIGHT

assembly had knock on effects throughout the rest of the statute since it set up a direct conflict with the provisions regarding the current representative assembly that has legislative power. I had to make conforming changes throughout to address this, please make sure I understood correctly and you guys agree with them. You may also want to run this by the ed committee if you haven't already.

From: Kopelousos, Stephanie
Sent: Tuesday, January 4, 2022 2:51 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: edits to Bill Draft 1484

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

GOVERNOR RON DESANTIS
FLORIDA
LEADS
AMERICAN OVERSIGHT
2021-2022 BUDGET

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

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AMERICAN OVERSIGHT

from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law~~this section~~. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001757

member of the FHSAA. Any high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001758

students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001759

sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors~~, which shall act as a representative assembly.~~ Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001760

~~persons~~, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001761

as follows:

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

~~2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~3~~. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

~~4.~~3. To vest with the ~~employ an~~ FHSAA executive director~~,~~ ~~who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

~~5.~~4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

~~6.~~5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

~~7.~~6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

~~8.~~7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the

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AMERICAN OVERSIGHT

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FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(6)~~(5)~~ REPRESENTATIVE ASSEMBLY.-

(a) The legislative authority of the FHSAA is vested in its representative assembly. All legislative action by the representative assembly is subject to approval by a majority vote of the Board of Directors.

(b) The representative assembly shall be composed of the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

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(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(7) ~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8) ~~(7)~~ APPEALS.-

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

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(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing

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full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

~~(9) REPEAL.—In accordance with s. 20.058(5), this section is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.~~

Section 2. This act shall take effect July 1, 2022.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	FW: edits to Bill Draft 1484
Date:	Wednesday, January 5, 2022 11:45:35 AM
Attachments:	image001.png UPDATED S Feedback - Draft 01484 FHSAA - 1.4.22 - SC.docx

---

From: Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>
Sent: Wednesday, January 5, 2022 11:29 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Cc: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Boam, Austin <Austin.Boam@LASPBS.STATE.FL.US>
Subject: RE: edits to Bill Draft 1484

Alex,

I think my track changes in lines 139-140 and 211-213 will address the concern below. If you agree, we will accept the changes and send back to you and Stephanie in the correct format.

Call me or Austin with any questions,
Shelb

Shelby Cecil
Policy Coordinator, Education Unit- Office of Policy and Budget
Executive Office of the Governor
E-mail: Shelby.Cecil@LASPBS.State.FL.US
Direct: (850) 717-9303

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, January 5, 2022 11:13 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>
Subject: FW: edits to Bill Draft 1484

See comments below related to redraft

This is still in redraft, but I noticed some comments that I may not have shared so I wanted to do so / this is pre-edits you sent:
Hello Katelyn
The changes vesting legislative power in the board of directors and saying it acts as a representative

AMERICAN OVERSIGHT

assembly had knock on effects throughout the rest of the statute since it set up a direct conflict with the provisions regarding the current representative assembly that has legislative power. I had to make conforming changes throughout to address this, please make sure I understood correctly and you guys agree with them. You may also want to run this by the ed committee if you haven't already.

From: Kopelousos, Stephanie
Sent: Tuesday, January 4, 2022 2:51 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: edits to Bill Draft 1484

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

GOVERNOR RON DESANTIS
FLORIDA
LEADS
AMERICAN OVERSIGHT
2021-2022 BUDGET

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

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FL-GOV-22-0226, 20-0378-A-001770

from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law~~this section~~. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a

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FL-GOV-22-0226, 20-0378-A-001771

member of the FHSAA. Any high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all

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FL-GOV-22-0226, 20-0378-A-001772

students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity

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sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors~~, which shall act as a representative assembly.~~ Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members

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~~persons~~, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are

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as follows:

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

~~2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~3~~. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

~~4.~~3. To vest with the ~~employ an~~ FHSAA executive director~~,~~ ~~who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

~~5.~~4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

~~6.~~5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

~~7.~~6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

~~8.~~7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the

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FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(6)~~(5)~~ REPRESENTATIVE ASSEMBLY.-

(a) The legislative authority of the FHSAA is vested in its representative assembly. All legislative action by the representative assembly is subject to approval by a majority vote of the Board of Directors.

(b) The representative assembly shall be composed of the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

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(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(7)~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8)~~(7)~~ APPEALS.-

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

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AMERICAN OVERSIGHT

(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing

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FL-GOV-22-0226, 20-0378-A-001779

full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

~~(9) REPEAL.—In accordance with s. 20.058(5), this section is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.~~

Section 2. This act shall take effect July 1, 2022.

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FL-GOV-22-0226, 20-0378-A-001780

AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	"Shays, Tonya"
Bcc:	Burdette,Brenda
Subject:	Fee bill for out of state tax collectors
Date:	Tuesday, November 30, 2021 9:11:06 PM
Attachments:	Fee Bill 3.docx Fee Bill 2.docx Fee Bill 1.docx

Tonya,

Need to check with bill drafting but we think we need fee bill or bills for the out of state tax collectors bill 5-01262-22.

Thanks,

Stephanie

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to each physical office location registered by a licensee; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. For each physical office location registered by a licensee in this state, a fee of $75,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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FL-GOV-22-0226, 20-0378-A-001782

is adopted in the same legislative session or an extension thereof and becomes a law.

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AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to issues licensure fees; authorizing the Department of Financial Services to establish fees relating to annual renewal licensure fees; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. From each license issued, a fee of $50,000.

2. For each annual renewal of a license, a fee of $50,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001784

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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Updated: 4/22/2022 9:49 AM

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to licensure application fees; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. From each license applicant an application fee of $25,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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Updated: 4/22/2022 9:49 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001786

is adopted in the same legislative session or an extension thereof and becomes a law.

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Updated: 4/22/2022 9:49 AM

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Bcc:	Burdette,Brenda
Subject:	Fee bill for out of state tax collectors
Date:	Tuesday, November 30, 2021 9:11:02 PM
Attachments:	Fee Bill 3.docx Fee Bill 2.docx Fee Bill 1.docx

Tonya,

Need to check with bill drafting but we think we need fee bill or bills for the out of state tax collectors bill 5-01262-22.

Thanks,

Stephanie

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to each physical office location registered by a licensee; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. For each physical office location registered by a licensee in this state, a fee of $75,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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Updated: 4/22/2022 9:49 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001789

is adopted in the same legislative session or an extension thereof and becomes a law.

DRAFT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.
Updated: 4/22/2022 9:49 AM

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to issues licensure fees; authorizing the Department of Financial Services to establish fees relating to annual renewal licensure fees; providing an effective date.

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Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. From each license issued, a fee of $50,000.

2. For each annual renewal of a license, a fee of $50,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

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Updated: 4/22/2022 9:50 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001791

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

DRAFT

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Updated: 4/22/2022 9:50 AM

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to licensure application fees; providing an effective date.

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(c) The department shall collect the following fee to administer this section:

1. From each license applicant an application fee of $25,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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Updated: 4/22/2022 9:50 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001793

is adopted in the same legislative session or an extension thereof and becomes a law.

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Updated: 4/22/2022 9:50 AM

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: Fee bill for out of state tax collectors
Date: Tuesday, November 30, 2021 9:11:08 PM
Attachments: Fee Bill 3.docx
Fee Bill 2.docx
Fee Bill 1.docx

Tonya,

Need to check with bill drafting but we think we need fee bill or bills for the out of state tax collectors bill 5-01262-22.

Thanks,

Stephanie

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Be It Enacted by the Legislature of the State of Florida:

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(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. For each physical office location registered by a licensee in this state, a fee of $75,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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Updated: 4/22/2022 9:50 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001796

is adopted in the same legislative session or an extension thereof and becomes a law.

DRAFT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.
Updated: 4/22/2022 9:50 AM

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to issues licensure fees; authorizing the Department of Financial Services to establish fees relating to annual renewal licensure fees; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

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Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

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Updated: 4/22/2022 9:50 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001798

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

DRAFT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.
Updated: 4/22/2022 9:50 AM

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to fees; amending s. 208.25, F.S.; authorizing the Department of Financial Services to establish fees relating to licensure application fees; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Creating section 208.25, Florida Statutes, to read:

208.25 Department of Financial Services; administration.

(1) The department shall administer the provisions of this chapter as provided in this chapter.

(a) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring powers or duties upon it.

(b) The department may employ and discharge such employees, examiners, counsel, and other assistant as shall be deemed necessary for the implementation of this section, and it shall prescribe their duties; their compensation shall be the same as other state employees receive for similar services.

(c) The department shall collect the following fee to administer this section:

1. From each license applicant an application fee of $25,000.

Fees collected under this paragraph shall be deposited in the Department of Financial Services Administrative Trust Fund.

Section 2. This act shall take effect on the same date that SB XXX or similar legislation takes effect, if such legislation

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Updated: 4/22/2022 9:50 AM

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001800

is adopted in the same legislative session or an extension thereof and becomes a law.

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Updated: 4/22/2022 9:50 AM

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: Full Elections bill
Date: Tuesday, November 30, 2021 8:53:51 PM
Attachments: Election Crimes and Security Full Bill Draft 11.30.21.docx

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Can you please put this in bill drafting?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to election security; creating s. 97.022, F.S., creating the Office of Election Crimes and Security Office within the Department of State; specifying the purpose of the office; providing authorization for the office to investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing a director and other staff for the office; specifying the structure of the office; providing required qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department's voter fraud hotline; specifying that the jurisdiction of other offices or agencies of government empowered to investigate alleged election law violations is not limited, but authorizes the office to assert primary jurisdiction over any such investigation; requiring a statewide prosecutor to investigate complaints referred by the office, take action as warranted, and report to the office on final disposition; specifying that statewide prosecutor failure to initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction; amending s. 97.0291, clarifying the prohibition on accepting or using nongovernmental donations for any type of election administration expense; amending 98.075, clarifying and specifying the responsibility of supervisors of elections to accept, evaluate, and act on information provided indicating potential voter ineligibility; providing process deadlines for

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001803

supervisors of elections to act on such information; amending s. 98.093, requiring clerks of the circuit court to provide to the Department of State monthly information on the terms of sentence, including the related financial obligations, of all those in the clerk's records listed as living in Florida and having been convicted of a felony;; requiring the Department of Highway Safety and Motor Vehicles to provide to the Department of State monthly information on those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card; amending s. 101.5614, specifying that observing duplication of mail-in ballots requires signing an affidavit affirming acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a third degree felony; amending s. 101.62, nullifying previous vote-by-mail ballot requests received by a certain date; requiring supervisors of elections to mail notices stating that those wishing to continue voting by mail must submit new requests for vote-by-mail ballots; amending s. 101.69, specifying that voting drop boxes may only be placed and used at sites at which early voting or Election Day voting is also taking place; requiring that all drop box sites have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites; requiring all drop box sites to post signs stating that each drop box is being monitored by election staff and video surveillance, and that possessing or voting more than the number of ballots allowed under state law is a third degree felony; requiring the Secretary of State to approve the proposed number

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001804

of drop boxes to be used and the proposed locations of the drop box sites; creating s. 101.80, prohibiting the use of ranked-choice voting in any Florida state or local election; amending s. 104.0616, changing the designation of possessing or voting more than the number of ballots allowed under state law from a first degree misdemeanor to a third degree felony; amending s. 104.185, changing penalty to third degree felony; amending s. 104.186, changing penalty to third degree felony; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 97.022, Florida Statutes, is created to read:

97.022 Office of Election Crimes and Security; election law violations and election irregularities.—

(1) The Office of Election Crimes and Security is created in the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State's duties under s. 97.012(15), is to:

(a) Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

(b) Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in any Florida county or municipality.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001805

(2) The office is authorized to review complaints and conduct investigations into alleged violations of any provision of Title IX or any rule adopted pursuant thereto. As needed based on the findings of its reviews and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election law violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election law violations or election irregularities that it deems frivolous and intended to otherwise disrupt the legal administration of Florida elections or the certification of Florida election results.

(4) The secretary shall appoint a director of the Office of Election Crimes and Security. Qualifications for the director shall include training and experience in law enforcement or security provision. The director shall supervise, direct, coordinate, and administer all activities of the office.

(5) The Office of Election Crimes and Security shall consist of a central office in Tallahassee, as well as sworn law enforcement officers with statewide jurisdictions and non-sworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the department shall meet the requirements for employment and appointment provided in s. 943.13, and shall satisfy the

Commented [MBR1]: What is meant by Title IX? It appears to be sex discrimination in Education??

I'm confused by this paragraph - what is the interaction between this paragraph and 97.012(15) and 106.25(1) and (2)? Are you modifying the powers/duties that already exist in law? I think I sent over language previously that referred to statutory framework already in place. If you are trying to do something different than the language I previously sent, just be aware of the below provisions already in law.

SOS already has jurisdiction to conduct preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and report findings to statewide prosecutor or state attorney of that judicial circuit in question. See 97.012(15).

Compare that jurisdiction to the FEC in 106.24 and 106.25. FEC is a separate entity housed within the Office of the Attorney General and it is authorized to investigate and determine violations of chapter 106 and 104 (this does not limit jurisdiction of any other officer or agency empowered by law to investigate or act upon violations of the code). FEC can only investigate after having received sworn complaint or info from Division of Elections. 106.25(2), Fla. Stat.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001806

requirements for certification established by the Criminal Justice Standards and Training Commission pursuant to Chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged violation of any provision of Title IX or any rule adopted pursuant thereto, or any law of this state.

(7) The office shall, for the purposes of any investigation or proceeding conducted by the office, have the authority to administer oaths and affirmations, require affidavits, take depositions, issue subpoenas, and compel attendance of witnesses and the production of paper-based, electronic-based, or any other type of evidence. Evidence gathered as authorized by this subsection is exempt from public records requirements under Chapter 119 and s. 24(a), Art. I of the State Constitution.

(8) The office shall oversee the department's voter fraud hotline.

(9) Nothing in this section limits the jurisdiction of any other offices or agencies of government empowered by law to investigate, act upon, or dispose of alleged election law violations. However, the office may assert primary jurisdiction over any investigation initiated by a local law enforcement agency or state attorney of election law violations or election irregularities.

(10) It is the duty of each statewide prosecutor receiving a complaint referred by the office to investigate the complaint promptly and thoroughly, to undertake any related criminal or civil actions as justified by law, and to report to the office

Commented [MBR2]: Again, I don't know what this is referring to.

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the result of any such investigation, any related action taken, and the final disposition of the complaint. The failure or refusal of a statewide prosecutor to prosecute or initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction.

Section 2. Section 97.0291, Florida Statutes, is amended to read:

97.0291 Prohibition on use of private funds for election-related expenses.—No agency or state or local official responsible for conducting elections, including, but not limited to, a supervisor of elections, may solicit, accept, use, or dispose of any donation in the form of money, grants, property, or personal services from an individual or a nongovernmental entity for the purpose of funding any type of ~~election-related~~ expense~~s~~ related to election administration, including but not limited to ~~or~~ voter education, voter outreach, ~~or~~ voter registration programs, or the cost of any litigation related to election administration. This section does not prohibit the donation and acceptance of space to be used for a polling room or an early voting site.

Section 3. Subsection (3) of section 98.065, Florida Statutes, are amended to read:

(3) A registration list maintenance program must be conducted by each supervisor, at a minimum, ~~in each odd-numbered year~~ every six months and must be completed not later than 90 days prior to the date of any federal election. All list maintenance actions associated with each voter must be entered,

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FL-GOV-22-0226, 20-0378-A-001808

tracked, and maintained in the statewide voter registration system.

Section 4. Subsections (3), (5), (6) and paragraph (a) of subsection (7) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(3) DECEASED PERSONS.-

(a)1. The department shall identify those registered voters who are deceased by comparing information received from either:

a. The Department of Health as provided in s. 98.093; ~~or~~

b. The United States Social Security Administration, including, but not limited to, any master death file or index compiled by the United States Social Security Administration; or

c. The Department of Highway Safety and Motor Vehicles.

2. Within 7 days after receipt of such information through the statewide voter registration system, the supervisor shall remove the name of the registered voter.

(b) The supervisor shall remove the name of a deceased registered voter from the statewide voter registration system within 7 days upon:

1. Receiving ~~receipt of~~ a copy of a death certificate issued by a governmental agency authorized to issue death certificates;

2. Determining that credible and reliable information exists that a registered voter is deceased based on a published obituary or notice of death, a letter of probate or estate administration, personal knowledge of a registered voter's

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FL-GOV-22-0226, 20-0378-A-001809

death, or a signed writing from another registered voter indicating the full name, address, date of birth, and date of death of the registered voter.

(5) FELONY CONVICTION.—

(a) The department shall identify those registered voters who have been convicted of a felony and whose voting rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney's Office, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation indicating the potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

(b) For information received by a supervisor directly from a source other than the department, including but not limited to, a clerk of the circuit court pursuant to section 98.093, the supervisor shall review such information and make a determination as to whether the information is credible and reliable. If the supervisor determines that the information is credible and reliable, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001810

the registered voter's name from the statewide voter registration system.

(7) PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(6), the supervisor of the county in which the voter is registered shall:

1. Notify the registered voter of his or her potential ineligibility by mail within 7 days after receipt of notice or information. The notice shall include:

a. A statement of the basis for the registered voter's potential ineligibility and a copy of any documentation upon which the potential ineligibility is based. Such documentation must include any conviction from another jurisdiction determined to be a similar offense to murder or a felony sexual offense, as those terms are defined in s. 98.0751.

b. A statement that failure to respond within 30 days after receipt of the notice may result in a determination of ineligibility and in removal of the registered voter's name from the statewide voter registration system.

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001811

e. Instructions for the registered voter to contact the supervisor of elections of the county in which the voter is registered if assistance is needed in resolving the matter.

f. Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4, Art. VI of the State Constitution following a felony conviction, if applicable.

2. If the mailed notice is returned as undeliverable, the supervisor shall, within 30 days of receiving the returned notice, publish notice once in a newspaper of general circulation in the county in which the voter was last registered. The notice shall contain the following:

a. The voter's name and address.

b. A statement that the voter is potentially ineligible to be registered to vote.

c. A statement that failure to respond within 30 days after the notice is published may result in a determination of ineligibility by the supervisor and removal of the registered voter's name from the statewide voter registration system.

d. An instruction for the voter to contact the supervisor no later than 30 days after the date of the published notice to receive information regarding the basis for the potential ineligibility and the procedure to resolve the matter.

e. An instruction to the voter that, if further assistance is needed, the voter should contact the supervisor of elections of the county in which the voter is registered.

3. If a registered voter fails to respond to a notice pursuant to subparagraph 1. within 30 days after receipt of the

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001812

notice, or subparagraph 2. within 30 days after the date of the published notice, the supervisor shall, within 30 days of the failure to respond, make a final determination of the voter's eligibility. If the supervisor determines that the voter is ineligible, the supervisor shall, within 7 days, remove the name of the registered voter from the statewide voter registration system. The supervisor shall notify the registered voter of the supervisor's determination and action.

4. If a registered voter responds to the notice pursuant to subparagraph 1. or subparagraph 2. and admits the accuracy of the information underlying the potential ineligibility, the supervisor shall make a final determination of ineligibility and shall remove the voter's name from the statewide voter registration system within 7 days after receiving the voter's response to the notice. The supervisor shall notify the registered voter of the supervisor's determination and action.

5. If a registered voter responds to the notice issued pursuant to subparagraph 1. or subparagraph 2. and denies the accuracy of the information underlying the potential ineligibility but does not request a hearing, the supervisor shall review the evidence and, within 30 days of receiving the voter's response, make a final determination of eligibility. If such registered voter requests a hearing, the supervisor shall, within 7 days of receiving the voter's response, send notice to the registered voter to attend a hearing at a time and place specified in the notice. The supervisor shall schedule and hold the hearing within 30 days of receiving the voter's request for a hearing. Upon hearing all evidence presented at the hearing, the supervisor shall, within 30 days of the conclusion of the

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001813

hearing, make a determination of eligibility. If the supervisor determines that the registered voter is ineligible, the supervisor shall, within 7 days, remove the voter's name from the statewide voter registration system and notify the registered voter of the supervisor's determination and action.

Section 5. Section 98.093, Florida Statutes, is amended to read:

98.093 Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, ~~and~~ persons convicted of a felony, and persons who are not citizens of the United States.—

(1) In order to identify ineligible registered voters and maintain accurate and current voter registration records in the statewide voter registration system pursuant to procedures in s. 98.065 or s. 98.075, it is necessary for the department and supervisors of elections to receive or access certain information from state and federal officials and entities in the format prescribed.

(2) To the maximum extent feasible, state and local government agencies shall facilitate provision of information and access to data to the department, including, but not limited to, databases that contain reliable criminal records and records of deceased persons. State and local government agencies that provide such data shall do so without charge if the direct cost incurred by those agencies is not significant.

(a) The Department of Health shall furnish monthly to the department a list containing the name, address, date of birth, date of death, social security number, race, and sex of each deceased person 17 years of age or older.

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(b) Each clerk of the circuit court shall furnish monthly to the department a list of those persons who have been adjudicated mentally incapacitated with respect to voting during the preceding calendar month, a list of those persons whose mental capacity with respect to voting has been restored during the preceding calendar month, and a list of those persons who have returned signed jury notices during the preceding months to the clerk of the circuit court indicating a change of address. Each clerk of the circuit court shall furnish monthly to each supervisor elections a list of those persons convicted of a felony during the preceding calendar month who was a resident of that supervisor's county. Each list shall include the name, address, date of birth, race, sex, and, whichever is available, the Florida driver license number, Florida identification card number, or social security number of each such person.

(~~c~~d) Upon receipt of information from the United States Attorney, listing persons convicted of a felony in federal court, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

(~~d~~e) The Department of Law Enforcement shall identify those persons who have been convicted of a felony who appear in the voter registration records supplied by the statewide voter registration system, in a time and manner that enables the department to meet its obligations under state and federal law.

(~~e~~f) The Florida Commission on Offender Review shall furnish at least bimonthly to the department data, including the identity of those persons granted clemency in the preceding

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month or any updates to prior records which have occurred in the preceding month. The data shall contain the commission's case number and the person's name, address, date of birth, race, gender, Florida driver license number, Florida identification card number, or the last four digits of the social security number, if available, and references to record identifiers assigned by the Department of Corrections and the Department of Law Enforcement, a unique identifier of each clemency case, and the effective date of clemency of each person.

(~~f~~g) The Department of Corrections shall identify those persons who have been convicted of a felony and committed to its custody or placed on community supervision. The information must be provided to the department at a time and in a manner that enables the department to identify registered voters who are convicted felons and to meet its obligations under state and federal law.

(~~g~~h) The Department of Highway Safety and Motor Vehicles shall furnish monthly to the department a list of those persons whose names have been removed from the driver license database because they have been licensed in another state. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The Department of Highway Safety and Motor Vehicles shall also furnish monthly to the department a list of those persons who presented evidence of non-United States citizenship upon being issued a new or renewed driver license or Florida identification card. The list shall contain the name, address, date of birth, sex, social security number, and driver license number of each such person. The department shall use such information to

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identify registered voters who may be potentially ineligible based on the information provided in accordance with s. 98.075.

(3) This section does not limit or restrict the supervisor in his or her duty to remove the names of persons from the statewide voter registration system pursuant to s. 98.075(7) based upon information received from other sources.

Section 6. Paragraph (a) of subsection (4) of section 101.5614, Florida Statutes, is amended to read:

101.5614(4)(a) Canvas of returns.-

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the voting system's automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in an open and accessible room in the presence of witnesses and substituted for the damaged ballot. Likewise, a duplicate ballot shall be made of a vote-by-mail ballot containing an overvoted race if there is a clear indication on the ballot that the voter has made a definite choice in the overvoted race or ballot measure. A duplicate shall include all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). A duplicate may be made of a ballot containing an undervoted race or ballot measure if there is a clear indication on the ballot that the voter has made a definite choice in the undervoted race or ballot measure. A duplicate may not include a vote if the voter's intent in such race or on such measure is not clear. Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots upon signing an affidavit affirming his

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or her acknowledgement that disclosure of election results discerned from witnessing the ballot duplication process while the election is ongoing is a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. The observer must be allowed to observe the duplication of ballots in such a way that the observer is able to see the markings on each ballot and the duplication taking place. All duplicate ballots must be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. The duplication of ballots must happen in the presence of at least one canvassing board member. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct. If any observer makes a reasonable objection to a duplicate of a ballot, the ballot must be presented to the canvassing board for a determination of the validity of the duplicate. The canvassing board must document the serial number of the ballot in the canvassing board's minutes. The canvassing board must decide whether the duplication is valid. If the duplicate ballot is determined to be valid, the duplicate ballot must be counted. If the duplicate ballot is determined to be invalid, the duplicate ballot must be rejected and a proper duplicate ballot must be made and counted in lieu of the original.

Section 7. Subsection (8) is added to section 101.62, Florida Statutes, to read:

101.62 Request for vote-by-mail ballots.—

(1)(a) The supervisor shall accept a request for a vote-by-mail ballot from an elector in person or in writing. One request

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is deemed sufficient to receive a vote-by-mail ballot for all elections through the end of the calendar year of the next regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections within such period for which the elector desires to receive a vote-by-mail ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written, an in-person, or a telephonic request for a vote-by-mail ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. If an in-person or a telephonic request is made, the elector must provide the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records. If the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing. A written request must be signed by the elector and include the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number. However, an absent uniformed service voter or an overseas voter seeking a vote-by-mail ballot is not required to submit a signed, written request for a vote-by-mail ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System. For purposes

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of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.

2. The elector's address.

3. The elector's date of birth.

4. The elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records.

5. The requester's name.

6. The requester's address.

7. The requester's driver license number, the requester's identification card number, or the last four digits of the requester's social security number, if available.

8. The requester's relationship to the elector.

9. The requester's signature (written requests only).

(c) Upon receiving a request for a vote-by-mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her vote-by-mail ballot.

(2) A request for a vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 10th day before the election by the supervisor. The supervisor shall mail vote-by-mail ballots to voters requesting ballots by such deadline no later than 8 days before the election.

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(3) For each request for a vote-by-mail ballot received, the supervisor shall record: the date the request was made; the identity of the voter's designee making the request, if any; the Florida driver license number, Florida identification card number, or last four digits of the social security number of the elector provided with a written request; the date the vote-by-mail ballot was delivered to the voter or the voter's designee or the date the vote-by-mail ballot was delivered to the post office or other carrier; the address to which the ballot was mailed or the identity of the voter's designee to whom the ballot was delivered; the date the ballot was received by the supervisor; the absence of the voter's signature on the voter's certificate, if applicable; whether the voter's certificate contains a signature that does not match the elector's signature in the registration books or precinct register; and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by division rule. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(4)(a) No later than 45 days before each presidential preference primary election, primary election, and general

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election, the supervisor of elections shall send a vote-by-mail ballot as provided in subparagraph (c)2. to each absent uniformed services voter and to each overseas voter who has requested a vote-by-mail ballot.

(b) The supervisor shall mail a vote-by-mail ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 40th and 33rd days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail vote-by-mail ballots within 2 business days after receiving a request for such a ballot.

(c) The supervisor shall provide a vote-by-mail ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the vote-by-mail ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the vote-by-mail ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

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4. By delivery to a designee on election day or up to 9 days before the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, grandchild, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. Except as provided in s. 101.655, the supervisor may not deliver a vote-by-mail ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If a vote-by-mail ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for

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delivery of the vote-by-mail ballot. The department shall adopt a rule providing for the form of the affidavit.

(5) If the department is unable to certify candidates for an election in time to comply with paragraph (4)(a), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and overseas voters.

(6) Only the materials necessary to vote by mail may be mailed or delivered with any vote-by-mail ballot.

(7) Except as expressly authorized for voters having a disability under s. 101.662, for overseas voters under s. 101.697, or for local referenda under ss. 101.6102 and 101.6103, a county, municipality, or state agency may not send a vote-by-mail ballot to a voter unless the voter has requested a vote-by-mail ballot in the manner authorized under this section.

(8) Effective March 31, 2022, all requests for vote-by-mail ballots previously received and accepted by each supervisor of elections under subsection (1) are declared null and void. By April 1, 2022, each supervisor shall begin the process of mailing notices to all vote-by-mail ballot requestors whose requests had been received and accepted prior to April 1, 2022, stating that a new vote-by-mail ballot request must be submitted if the elector wishes to vote-by-mail in any election occurring through the end of the calendar year of the next regularly scheduled general election. Each supervisor must complete the process of mailing the notices to all those impacted by April 30, 2022.

Section 8. Paragraphs (a) and (b) of subsection (2) of section 101.69, Florida Statutes, are amended to read:

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And other points made during discussion.

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101.69 Voting in person; return of vote-by-mail ballot.—

(2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure drop box. Secure drop boxes shall be placed at the main office of the supervisor, at each permanent branch office of the supervisor, and at each early voting site. Secure drop boxes may only be placed and used at sites at which early voting is also taking place ~~also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1)~~. Drop boxes must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. Except for secure drop boxes at an office of the supervisor, a secure drop box may only be used during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office. A secure drop box at an office of the supervisor must be continuously monitored in person by an employee of the supervisor's office when the drop box is accessible for deposit of ballots. All drop box sites must have video surveillance cameras installed and operational at all times while secure drop boxes are physically at the drop box sites. Such cameras must be placed in a location at each drop box site that shows each secure drop box and allows for the recording of each person's face as he or she places a ballot or ballots into a secure drop box. All video footage of secure drop boxes used during an election must be collected and retained by each supervisor pursuant to s. 101.545. All drop box sites shall have signs posted in a clearly visible location,

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stating that each drop box is being monitored by election staff and by video surveillance, and that under Section 104.0616, Florida Statutes, any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except for specific circumstances as designated in Florida state law, commits a felony of the third degree punishable by a term of imprisonment of up to 5 years and a fine of up to $5,000.

(b) A supervisor shall designate each drop box site at least 30 days before an election. The supervisor shall provide the address of each drop box location to the division at least 30 days before an election, ~~.~~ and for each jurisdiction the Secretary of State shall approve the proposed number of drop boxes to be used and the proposed locations of the drop box sites. After a drop box location has been designated, it may not be moved or changed except as approved by the division to correct a violation of this subsection.

Section 9. Section 101.80, Florida Statutes, is created to read:

101.80 Ranked-choice voting prohibited. –

(1) Any method of ranked-choice voting that allows voters to rank candidates in order of preference, for the purpose of tabulating ballots in multiple rounds if required based on voter rankings, and eliminating candidates until a single candidate attains a majority, may not be used in determining the nomination or election of any candidate to any Florida state or local elective office.

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(2) Any existing or future ordinance, charter, other governing authority, or law enacted or adopted by a county, a municipality, or any other local governmental entity which is in conflict with this section is void.

Section 10. Subsection (2) of section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(2) Any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except as provided in ss. 101.6105-101.694, including supervised voting at assisted living facilities and nursing home facilities as authorized under s. 101.655, commits a ~~misdemeanor~~ felony of the ~~first~~ third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 11. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084.

Section 12. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—

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A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083 or 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 13. This act shall take effect upon becoming a law.

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From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 11:55:00 AM
Attachments: 4.19.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bill today:

SB 7044 – Postsecondary Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 19, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 7044 – Postsecondary Education

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 19 AM 11:33
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001831

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; 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Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 5, 2022
Date: Tuesday, April 5, 2022 3:14:00 PM

The Governor received the following bills today:

AMERICAN OVERSIGHT

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
CS/HB 469 - Patient Care in Health Care Facilities
CS/CS/HB 1239 - Nursing Homes
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1209 - Administration of Vaccines
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
CS/CS/HB 921 – Campaign Financing
SB 312 – Telehealth
CS/SB 566 - Mental Health Professional Licensure
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
CS/CS/SB 768 - Department of Health
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 632 - Occupational Therapy
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1360 – Governor's Medal of Freedom
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 988 - In-person Visitation
CS/SB 292 - Newborn Screenings
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1262 - Mental Health and Substance Abuse
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program

The Governor has until April 20, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor

AMERICAN OVERSIGHT

850-717-9320
850-510-6613 (cell)

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 1, 2022
Date: Friday, April 1, 2022 4:57:00 PM
Attachments: 4.1.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 1, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 3 – Law Enforcement

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR -1 PM 4:36
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001837

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; 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"jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 8:30:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

SB 7044 – Postsecondary Education

The Governor has until May 4, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 2:40:00 PM
Attachments: 4.14.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 14, 2022

2022 APR 14 PM 2:15
OFFICE OF THE SECRETARY OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 5 – Reducing Fetal and Infant Mortality

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001842

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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 9:20:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

The Governor has until April 29, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 2:10:00 PM
Attachments: 4.12.22 Senate Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 12, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 7034 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 12 PM 1:21
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001847

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 8:47:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

The Governor has until April 27, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 3:29:00 PM
Attachments: 4.11.22 House Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 11, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

HB 7065 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 11 PM 3:13
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; 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"jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 9:51:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

The Governor has until April 26, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; 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Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 6, 2022
Date: Wednesday, April 6, 2022 7:26:00 PM
Attachments: 4.6.22 House Transmittal letter.pdf
4.6.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bills today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 - Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Finance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 – Nursing Homes
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
SB 236 – Children with Developmental Delays
CS/SB 292 – Newborn Screenings
SB 312 – Telehealth
SB 534 – Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 – Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
CS/SB 632 – Occupational Therapy
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 – In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 – Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 – Mental Health and Substance Abuse
CS/CS/SB 1950 – Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

AMERICAN OVERSIGHT

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:14
SECRETARY OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Financing
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 - Nursing Homes

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001858

CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:05
DEPARTMENT OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 236 – Children with Developmental Delays
CS/SB 292 - Newborn Screenings
SB 312 – Telehealth
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
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SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 - In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program

THE CAPITOL
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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001860

CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 20, 2022
Date: Wednesday, April 20, 2022 4:10:00 PM
Attachments: 4.20.22 Senate Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/SB 768 – Department of Health

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 20, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/CS/SB 768 – Department of Health

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 20 AM 1:46
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001864

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

SB 98 – Emergency Preparedness and Response Fund

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001867

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; 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gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, February 10, 2022
Date: Thursday, February 10, 2022 5:11:47 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

The Governor has until February 17, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; 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AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

SB 98 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001874

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 11:18:00 AM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

SB 236 – Children with Developmental Delays
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 934 – Public Records
CS/SB 102 – Establishing the Congressional Districts of the State

The Governor has until April 13, 2022 to act on these bills.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 3:34:00 PM
Attachments: 3.28.22 House Transmittal Letter.pdf

The Governor's Office signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/HB 1557 – Parental Rights in Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 28, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/CS/HB 1557 – Parental Rights in Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 28 PM 3:02
OF STATE
EE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 12:27:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

HB 459 – Step-Therapy Protocols
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 855 – Managed Care Plan Performance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/CS/HB 1557 – Parental Rights in Education

The Governor has until April 12, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 25, 2022
Date: Friday, March 25, 2022 2:46:00 PM
Attachments: 3.25.22 House Transmittal Letter.pdf
3.25.22 Senate Transmittal Letter.pdf

The Governor's Office signed the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education
SB 418 – The Assistive Technology Advisory Council

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 25 PM 1:36
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001884

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 418 – The Assistive Technology Advisory Council

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 25 PM 1:35
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 22, 2022
Date: Tuesday, March 22, 2022 12:43:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

The Governor has until April 6, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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"brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 21, 2022

Date: Monday, March 21, 2022 5:05:00 PM

The Governor's Office received the following bills today:

SB 418 – The Assistive Technology Advisory Council

AMERICAN OVERSIGHT

SB 1054 – Financial Literacy Instruction in Public Schools

The Governor has until April 5, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; 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perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022

Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022
Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; 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Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 1:29:00 PM
Attachments: 3.29.22 Senate.CSSB102.pdf
3.29.22 CSSB102.Legal Memo.pdf

AMERICAN OVERSIGHT

The Governor's Office Vetoed the following bill today:

CS/SB 102 – Establishing the Congressional Districts of the State

Please see the attached Veto Letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 29, 2022

2022 MAR 29 AM 11:58
OF STATE
SEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Constitution of Florida, I do hereby vetó and transmit my objection to **CS/SB 102**, enacted during the 124th Session of the Legislature of Florida, during Regular Session 2022 and entitled:

An act relating to establishing the congressional districts of the state

As presented in both the primary and secondary maps enacted by the Legislature, Congressional District 5 violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution for the reasons set forth in the attached memorandum. Although I understand the Legislature's desire to comply with the Florida Constitution, the Legislature is not absolved of its duty to comply with the U.S. Constitution. Where the U.S. and Florida Constitutions conflict, the U.S. Constitution must prevail.

Accordingly, I withhold my approval of **CS/SB 102** and do hereby veto the same.

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001896

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

RON DESANTIS
GOVERNOR

MEMORANDUM

To: Ron DeSantis, Governor of Florida

From: Ryan Newman, General Counsel, Executive Office of the Governor RDN

Date: March 29, 2022

Re: Constitutionality of CS/SB 102, An Act Relating to Establishing the Congressional Districts of the State

Congressional District 5 in both the primary and secondary maps enacted by the Legislature violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest.

"Just as the State may not, absent extraordinary justification, segregate citizens on the basis of race in its public parks, buses, golf courses, beaches, and schools," the U.S. Supreme Court has made clear that the State also "may not separate its citizens into different voting districts on the basis of race." *Miller v. Johnson*, 515 U.S. 900, 911 (1995) (internal citations omitted). "When the State assigns voters on the basis of race," the Court explained, "it engages in the offensive and demeaning assumption that voters of a particular race, because of their race, 'think alike, share the same political interests, and will prefer the same candidates at the polls.'" *Id.* at 911-12 (quoting *Shaw v. Reno*, 509 U.S. 630, 647 (1993)).

For these reasons, the Court has interpreted the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution to prohibit state legislatures from using race as the "predominant factor motivating [their] decision to place a significant number of voters within or without a particular district," *id.* at 916, unless they can prove that their "race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end," *Cooper v. Harris*, 137 S. Ct. 1455, 1464 (2017) (citation omitted). That race was the predominant factor motivating a legislature's line-drawing decision can be shown "either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose." *Miller*, 515 U.S. at 916.

AMERICAN OVERSIGHT

Although non-adherence to traditional districting principles, which results in a non-compact, unusually shaped district, is relevant evidence that race was the predominant motivation of a legislature, such evidence is not required to establish a constitutional violation. "Race may predominate even when a reapportionment plan respects traditional principles, . . . if '[r]ace was the criterion that, in the State's view, could not be compromised,' and race-neutral considerations 'came into play only after the race-based decision had been made.'" *Bethune-Hill v. Va. State Bd. of Elections*, 137 S. Ct. 788, 798 (2017) (quoting *Shaw v. Hunt*, 517 U.S. 899, 907 (1996) (alteration in original)). "The racial predominance inquiry concerns the actual considerations that provided the essential basis for the lines drawn, not *post hoc* justifications the legislature in theory could have used but in reality did not." *Id.* at 799. A legislature "could construct a plethora of potential maps that look consistent with traditional, race-neutral principles," but "if race for its own sake is the overriding reason for choosing one map over others, race still may predominate." *Id.* It is the "racial purpose of state action, not its stark manifestation," that offends the Equal Protection Clause. *Miller*, 515 U.S. at 913.

In light of these well-established constitutional principles, the congressional redistricting bill enacted by the Legislature violates the U.S. Constitution. The bill contains a primary map and secondary map that include a racially gerrymandered district—Congressional District 5—that is not narrowly tailored to achieve a compelling state interest. *See generally* Fla. H.R. Comm. on Redist., recording of proceedings, at 0:00-2:55:19 (Feb. 25, 2022), https://thefloridachannel.org/videos/2-25-22-house-redistricting-committee/ (committee presentation and discussion of the maps later passed by the Legislature).

In the secondary map, which was the original map reported out of the House Congressional Redistricting Subcommittee, District 5 is a sprawling district that stretches approximately 200 miles from East to West and cuts across eight counties to connect a minority population in Jacksonville with a separate and distinct minority population in Leon and Gadsden Counties. The district is not compact, does not conform to usual political or geographic boundaries, and is bizarrely shaped to include minority populations in western Leon County and Gadsden County while excluding non-minority populations in eastern Leon County. Because this version of District 5 plainly subordinates traditional districting criteria to avoid diminishment of minority voting age population, there is no question that race was "the predominant factor motivating the legislature's decision" to draw this district. *Miller*, 515 U.S. at 916.

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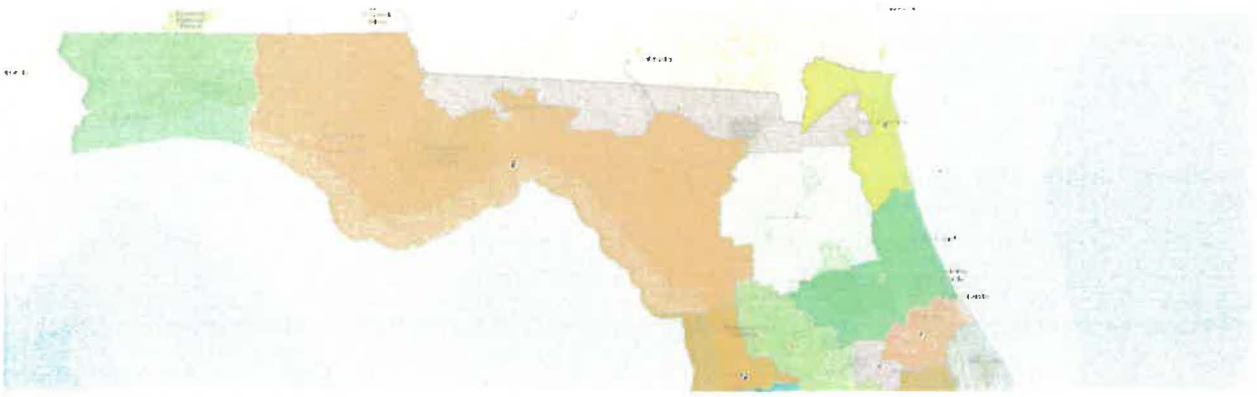
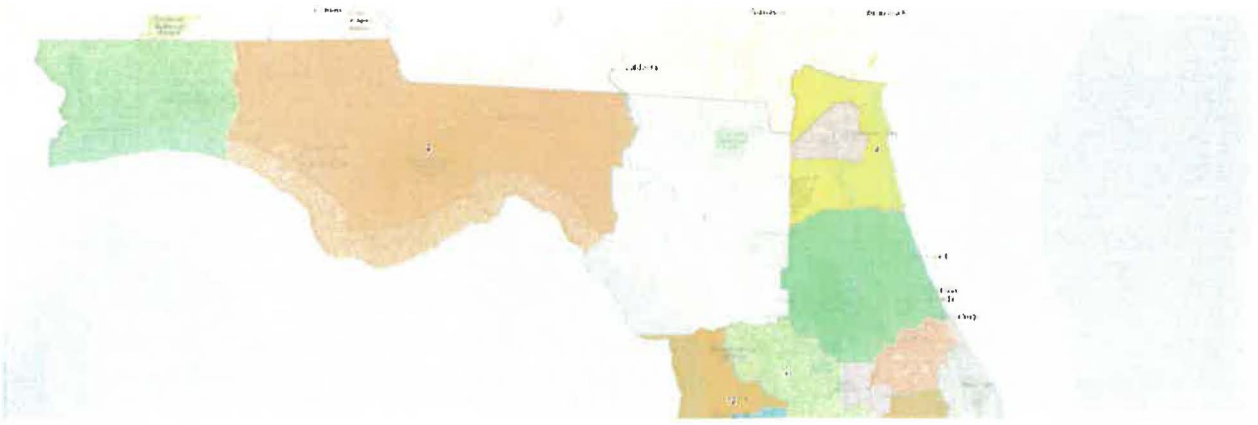
District 5 in the Secondary Map (Purple)



In response to federal constitutional concerns about the unusual shape of District 5 as it was originally drawn, and which is now reflected in the secondary map, the House Redistricting Committee drew a new version of District 5, which is reflected in the primary map. This configuration of the district is more compact but has caused the adjacent district—District 4—to take on a bizarre doughnut shape that almost completely surrounds District 5. The reason for this unusual configuration is the Legislature's desire to maximize the black voting age population in District 5. The Chair of the House Redistricting Committee confirmed this motivation when he explained that the new District 5 was drawn to "protect[] a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022).

District 5 in the Primary Map (Purple)



Despite the Legislature's attempt to address the federal constitutional concerns by drawing a more compact district, the constitutional defect nevertheless persists. Where "race was the criterion that, in the State's view, could not be compromised, and race-neutral considerations came into play only after the race-based decision had been made," it follows that race was the predominant factor, even though the district

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otherwise respects traditional districting principles. *Bethune-Hill*, 137 S. Ct. at 798 (cleaned up).

Such was the case here. Even for the more compact district, the Legislature believed (albeit incorrectly) that the Florida Constitution required it to ensure "a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022). Specifically, according to the House Redistricting Chair, the primary map's version of District 5 is the House's "attempt at continuing to protect the minority group's ability to elect a candidate of their choice." *Id.* at 19:45-19:54. The Legislature thus used "an express racial target" for District 5 of a black voting age population sufficiently large to elect a candidate of its choice. *Bethune-Hill*, 137 S. Ct. at 800.

Because racial considerations predominated even in drawing the new District 5, the Legislature must satisfy strict scrutiny, the U.S. Supreme Court's "most rigorous and exacting standard of constitutional review." *Miller*, 515 U.S. at 920. And to satisfy strict scrutiny, the Legislature "must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest." *Id.* That, the Legislature cannot do.

There is no good reason to believe that District 5 needed to be drawn as a minority-performing district to comply with Section 2 of the Voting Rights Act (VRA), because the relevant minority group is not sufficiently large to constitute a majority in a geographically compact area. In the primary map, the black voting age population of District 5 is 35.32%, and even in the secondary map, with the racially gerrymandered, non-compact version of District 5, the black voting age population increases only to 43.48%. *Compare* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8015, https://bit.ly/36hFRBB (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). "When a minority group is not sufficiently large to make up a majority in a reasonably shaped district, § 2 simply does not apply." *Cooper*, 137 S. Ct. at 1472 (citing *Bartlett v. Strickland*, 556 U.S. 1, 18-20 (2009) (plurality opinion)); *see also Thornburg v. Gingles*, 478 U.S. 30, 50 (1986) (explaining that one of the threshold conditions for proving vote dilution under Section 2 is that the minority group is "sufficiently large and geographically compact to constitute a majority").

Nor is there good reason to believe that District 5 is required to be drawn to comply with Section 5 of the VRA. Section 5 is no longer operative now that the U.S. Supreme Court invalidated the VRA's formula for determining which jurisdictions are subject to Section 5. *See Shelby Cnty. v. Holder*, 570 U.S. 529, 553-57 (2013); *see also Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 279 (2015) (suggesting that continued compliance with Section 5 may not remain a compelling interest in light of *Shelby County*). In any event, even before the coverage formula was invalidated, the State of

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Florida was not a covered jurisdiction subject to Section 5. *See In re Senate Joint Resolution of Legislative Apportionment 1176* (*Apportionment I*), 83 So. 3d 597, 624 (Fla. 2012). Only five counties in Florida were covered—Collier, Hardee, Hendry, Hillsborough, and Monroe—and none of them are in northern Florida where District 5 is located. *See id.*

The only justification left for drawing a race-based district is compliance with Article III, Section 20(a) of the Florida Constitution. But District 5 does not comply with this provision. Article III, Section 20(a) provides that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." The Florida Supreme Court has noted that these "dual constitutional imperatives follow almost verbatim the requirements embodied in the Federal Voting Rights Act." *Id.* at 619 (cleaned up). The first imperative, which prohibits districts that deny or abridge the equal opportunity of minority groups to participate in the political process, is modeled after Section 2 of the VRA, and the second imperative, which prohibits districts that diminish the ability of minority groups to elect representatives of their choice, is modeled after Section 5. *Id.* at 619-20.

Like the VRA, these provisions of the Florida Constitution "aim[] at safeguarding the voting strength of minority groups against both impermissible dilution and retrogression." *Id.* at 620. Although judicial interpretation of the VRA is relevant to understanding the Florida Constitution's non-dilution and non-diminishment provisions, the Florida Supreme Court nonetheless recognizes its "independent constitutional obligation" to interpret these provisions. *Id.* at 621.

Relevant here is the Florida Constitution's non-diminishment requirement. Unlike Section 5 of the VRA, this requirement "applies to the entire state." *Id.* at 620. Under this standard, the Legislature "cannot eliminate majority-minority districts or weaken other historically performing minority districts where doing so would actually diminish a minority group's ability to elect its preferred candidates." *Id.* at 625. The existing districts "serve[] as the 'benchmark' against which the 'effect' of voting changes is measured." *Id.* at 624 (cleaned up). Where a voting change leaves a minority group "less able to elect a preferred candidate of choice" than the benchmark, that change violates the non-diminishment standard. *Id.* at 625 (internal quotation marks omitted); *see also id.* at 702 (Canady, C.J., concurring in part and dissenting in part) (noting that the dictionary definition of "diminish" means "to make less or cause to appear less" (citation omitted)).

The Florida Supreme Court has acknowledged that "a slight change in percentage of the minority group's population in a given district does not necessarily have a cognizable effect on a minority group's ability to elect its preferred candidate of choice." *Id.* at 625. The minority population percentage in each district need not be

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"fixed" in perpetuity. *Id.* at 627. But where the reduction in minority population in a given district is more than "slight," such that the ability of the minority population to elect a candidate of choice has been reduced (even if not eliminated), the Legislature has violated the Florida Constitution's non-diminishment requirement as interpreted by the Florida Supreme Court.

Given these principles, there is no good reason to believe that District 5, as presented in the primary map, complies with the Florida Constitution's non-diminishment requirement. The benchmark district contains a black voting age population of 46.20%, whereas the black voting age population of District 5 in the primary map is only 35.32%.[1] *Compare* Fla. Redist. 2022, FLCD2016, https://bit.ly/3Iv6FeW (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). This nearly eleven percentage point drop is more than slight, and while the House Redistricting Chair represented that the black population of the district could still elect a candidate of choice, *see* Fla. H.R. Comm. on Redist., recording of proceedings, at 59:44-1:00:17 (Feb. 25, 2022), there appears to be little dispute that the ability of the black population to elect such a candidate had nevertheless been reduced, *see id.* at 1:00:18-1:00:58 (noting that the benchmark district performed for the minority candidate of choice in 14 of 14 previous elections and that the new district would not perform for the minority candidate of choice in one-third of the same elections).

Moreover, the House Redistricting Chair claimed that the only criterion that mattered was whether the new district still performed at all. *See id.* at 1:06:09-1:06:30 ("It is not a diminishment unless the district does not perform."); *see also id.* at 1:05:05-1:05:13 ("Is it less likely to perform? Honestly, I don't know."). But that view is plainly inconsistent with the Florida Supreme Court precedent described above, which prohibits any voting change that leaves a minority group "less able to elect a preferred candidate of choice." *Apportionment I*, 83 So. 3d at 625 (internal quotation marks omitted). In sum, because the reduction of black voting age population is more than slight and because such reduction appears to have diminished the ability of black voters to elect a candidate of their choice, District 5 does not comply with the non-diminishment requirement of Article III, Section 20(a) of the Florida Constitution. Therefore, compliance with the Florida Constitution cannot supply the compelling reason to justify the Legislature's use of race in drawing District 5 in the primary map.

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[1] The benchmark district itself is a sprawling, non-compact racial gerrymander that connects minority communities from two distinct regions of the State; however, for purposes of this point, I assume that the district can be used as a valid benchmark against which to judge the new maps.

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In the secondary map, by contrast, District 5 complies with the Florida Constitution's non-diminishment requirement, but in doing so, it violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. The U.S. Supreme Court has warned that a "reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who may have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid." *Shaw*, 509 U.S. at 647. As described earlier, District 5 in the secondary map does precisely this.

That the district is believed to be necessary to comply with the Florida Constitution's non-diminishment requirement does not alone suffice to justify the use of race in drawing bizarre, non-compact district boundaries for the sole purpose of cobbling together disparate minority populations from across northern Florida to form a minority-performing district. Mere compliance with a state constitutional requirement to engage in race-based districting is not, without more, a compelling interest sufficient to satisfy strict scrutiny. The Fourteenth and Fifteenth Amendments to the U.S. Constitution and the VRA, which enforces the Fifteenth Amendment, exist to *prevent* states from engaging in racially discriminatory electoral practices. Indeed, one such weapon that states long used, and that the VRA was designed to combat, "was the racial gerrymander—the deliberate and arbitrary distortion of district boundaries for racial purposes." *Id.* at 640 (cleaned up).

Here, the Florida Constitution's non-diminishment standard would be satisfied only by a sprawling, non-compact district that spans 200 miles and repeatedly violates traditional political boundaries to join minority communities from disparate geographic areas. Such a district is not narrowly tailored to achieve the compelling interest of protecting the voting rights of a minority community in a reasonably cohesive geographic area. As applied to District 5 in the secondary map, therefore, the Florida Constitution's non-diminishment standard cannot survive strict scrutiny and clearly violates the U.S. Constitution.

For the foregoing reasons, Congressional District 5 in both maps is unlawful.

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From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

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SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

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RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001906

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; 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Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

AMERICAN OVERSIGHT

SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001913

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 15, 2022
Date: Tuesday, March 15, 2022 6:26:00 PM
Attachments: Transmittal Letter.SB520 & SB1048.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 15 PM 3:50
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001916

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov

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AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

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CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 15 PM 3:50
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001919

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To: Kopelousos, Stephanie

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wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; 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jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; 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powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 3:55:00 PM

Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 282 – Mental Health and Substance Use Disorders

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE FL

AMERICAN OVERSIGHT

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

FL-GOV-22-0226, 20-0378-A-001922

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022
Date: Thursday, March 10, 2022 3:55:00 PM
Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE FL

AMERICAN OVERSIGHT

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

FL-GOV-22-0226, 20-0378-A-001925

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 11:48:00 AM

The Governor's Office received the following bill today:

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

The Governor has until March 17, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022
Date: Monday, March 7, 2022 5:25:00 PM
Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

Please see the attached transmittal letter.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9248

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001930

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022

Date: Monday, March 7, 2022 5:25:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
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AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9248

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001933

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To: Kopelousos, Stephanie

Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau

Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; 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Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022

Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022
Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 22, 2022

Date: Tuesday, March 22, 2022 3:21:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

SB 1054 - Financial Literacy Instruction in Public Schools

Please see the attached transmittal letter.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 22, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 1054 – Financial Literacy Instruction in Public Schools

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 22 PM 2:52
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-001940

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: Immigration
Date: Tuesday, January 4, 2022 2:21:28 PM
Attachments: 5-01386-22 Immigration - track changes - 1-4-22.docx
Immigration Trust Fund bill - Final 12-21-21.docx

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility; amending s. 908.101, F.S.; providing legislative intent; for the enforcement of specified provisions; ~~amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances;~~ amending s. 908.102, F.S.; amending sanctuary policy to include a refusal to cooperate or share information; ~~revising the definition of the term "sanctuary policy";~~ creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program; requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail; providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

Department of Law Enforcement; requiring the department to post the data on its website; creating ch. 909, F.S., entitled "Public Benefits for Illegal Aliens"; creating s. 909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an illegal alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.; requiring the Agency for Health Care Administration and the Department of Health to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to illegal aliens for specified fiscal years; requiring the agency to require managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens for specified fiscal years; requiring the agency and the department to collect such information and provide it annually by a specified date in a report to the Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; creating s. 909.04, F.S.;

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requiring the executive director of the Department of Law Enforcement to conduct regular audits of companies doing business in this state to ensure compliance with specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of <u>enforcing</u> ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a

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person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.
5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section ~~908.101~~ ~~787.07~~, Florida Statutes, is amended to read:

The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state. Further, the Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of Florida attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in Florida, the Legislature finds that the state has a compelling interest not to aid, assist, or facilitate the transportation or harboring of unauthorized aliens in Florida who have come to, entered, or remain in the United States in violation of law.

~~787.07 Human smuggling.—~~

~~(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the~~

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~~United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) A person commits a separate offense for each individual he or she transports into this state in violation of~~ subsection ~~(1) this section.~~

~~(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state.~~

~~Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the carrier is found to be providing such services during the contract period.~~

~~(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.~~

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or

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local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 or pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; or

(f) Providing information to any state entity on the immigration status of a person in the custody of the law enforcement agency.~~(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.~~

Section 4. Subsection (8) of section 908.102, Florida Statutes, is created to read:~~Section 908.11, Florida Statutes, is created to read:~~

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

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Section 5. Section 908.110, Florida Statutes, is created to read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

~~(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.~~

~~(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(2a) Each county sheriff shall determine ~~make a determination of~~ the immigration status at the time of booking in county jail. Unless the arrestee can provide government-

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issued documentation showing proof of citizenship or lawful immigration status, the county sheriff shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c) to make such determination.~~, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(3b) -Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102(2), Florida Statutes, has been issued.

(3) Each clerk of the circuit court shall determine~~make a determination of~~ the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.~~ for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(4) Beginning no later than~~By~~ January 1, 2023, the data collected under subsections (2~~1~~) and, (3)~~2), and (3)~~ shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include the type of offense(s), including whether the offense(s) is a felony or misdemeanor; the county where offender was arrested or tried; the sex of offender; and whether the offender is an adult or minor.~~must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website,~~

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~~and must include all of the following:~~

~~(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.~~

~~(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.~~

Section 6. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.-

A government entity as defined in s. 163.035(1), F.S., may not execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided since the effective date of this act, any service in furtherance of transporting an unauthorized alien into the State of Florida knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the unauthorized alien has come to,

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entered, or remains in the United States in violation of law.

Section 57. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory Damages for Transporting or Harboring Unauthorized Aliens -

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined in s. 605.0102(23)(a), F.S., that —

(a) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such unauthorized alien within the State of Florida, or into the State of Florida, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the State of Florida, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) shall —

(i) pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity;

(ii) not be eligible for five years to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any government entity as defined in s. 163.035(1), F.S.; and

(iii) not be eligible for five years to receive or renew

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any license, certification, or credential issued by any government entity as defined in s. 163.035(1), F.S.

(3) Payments of statutory damages shall be deposited into the General Revenue Fund.

(4) Beginning July 1, 2022, and every two years thereafter, the Department of Economic Opportunity, with the assistance of all Executive agencies, Cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the cost of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on these aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), F.S., final agency action subject to judicial review under s. 120.68, F.S., or a decision under s. 120.569, F.S., which affect the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

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(7) The Attorney General shall publish the name of any entity found to be liable under this section and the date of the judgement on a public website.

Section 8. ~~Section 5.~~ Chapter 909, Florida Statutes, consisting of sections 909.01-909.0304, is created to read:

~~and entitled~~ Chapter 909

"Public Benefits for Illegal Aliens."

~~Section 6. Section 909.01, Florida Statutes, is created to read:~~

909.01 Definitions.— As used in this chapter, the term:

(1) "Benefits" means any payment or service funded by tax or fee revenue, or any license, certification, or credential, provided by the state. ~~"Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.~~

~~(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.~~

~~(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).~~

(2) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

~~Section 7. Section 909.02, Florida Statutes, is created to read:~~

909.02 Prohibition of benefits.—

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(1) No ~~An~~ agency as defined in s. 120.52, F.S. shall ~~may not~~ provide benefits to an unauthorized ~~illegal~~ alien, except as otherwise expressly authorized or required ~~clearly required~~ by federal or state law or except where necessary to prevent ~~imminent~~ serious bodily injury or loss of life or to prevent, investigate, or prosecute criminal activity.

(2) ~~Such~~ ~~A~~agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~,~~ ~~based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(3) Each agency, as defined in s. 120.52, F.S., shall adopt rules to implement this section. ~~Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.~~

Section 8. Section 909.03, Florida Statutes, is created to read:

909.03 Collection of information on ~~health care~~ services provided to ~~illegal~~ unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care

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Administration, ~~in coordination with~~ the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and ~~and~~ the Department of Health in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens. ~~shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.~~

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration shall require~~, consistent with federal and state law,~~ managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any programs~~, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, t~~This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of

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Education, and the Department of Health shall provide a report of the requested information in subsections (1) and (2) to the President of the Senate, the Speaker of the House of Representatives, and the Governor by September 1 of each year for the previous fiscal year. ~~The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.~~

~~(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.~~

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on their websites.

(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section. ~~The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.~~

~~Section 9. Section 909.04, Florida Statutes, is created to read:~~

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FL-GOV-22-0226, 20-0378-A-001956

~~909.04 Audits of Employers.—~~

~~(1) The executive director of the Department of Law Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.~~

~~(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).~~

~~(3) The Department of Law Enforcement shall adopt rules to implement this section.~~

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~~Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:~~

~~1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.~~

~~(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a~~

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~~school district, and charter technical career centers, shall require each student to document his or her immigration status by providing a birth certificate, proof of residency, or other acceptable identification upon enrollment in school.~~

~~(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.~~

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10~~1~~. This act shall take effect upon becoming a law. ~~July 1, 2022.~~

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FL-GOV-22-0226, 20-0378-A-001958

A bill to be entitled

An act relating to trust funds; creating s. 908.113 F.S.; creating the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity; providing purposes; proclaiming that the trust fund is exempt from constitutional termination; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 908.113, Florida Statutes, is created to read:

908.113 Illegal Immigration Compensation Trust Fund -

(1) There is created the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity.

(2) Funds to be credited to the trust fund shall consist of payments recovered by the Attorney General for statutory damages as provided under s. 908.112, F.S. Moneys received and deposited into the trust fund are exempt from the service charges imposed under s. 215.20, F.S.

(3) Monies in the trust fund may be invested in such a manner as provided by law. The interest received on such investment shall be credited to the trust fund.

(4) Pursuant to the provisions of s. 19(f) (3), Article III of the State Constitution, the trust fund is exempt from termination provisions of s. 19(f) (2), Article III of the State Constitution.

Section 2. This act shall take effect upon becoming law.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	Immigration
Date:	Tuesday, January 4, 2022 2:21:28 PM
Attachments:	5-01386-22 Immigration - track changes - 1-4-22.docx Immigration Trust Fund bill - Final 12-21-21.docx

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility; amending s. 908.101, F.S.; providing legislative intent; for the enforcement of specified provisions; ~~amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances;~~ amending s. 908.102, F.S.; amending sanctuary policy to include a refusal to cooperate or share information; ~~revising the definition of the term "sanctuary policy";~~ creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program; requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail; providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the

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Department of Law Enforcement; requiring the department to post the data on its website; creating ch. 909, F.S., entitled "Public Benefits for Illegal Aliens"; creating s. 909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an illegal alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.; requiring the Agency for Health Care Administration and the Department of Health to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to illegal aliens for specified fiscal years; requiring the agency to require managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens for specified fiscal years; requiring the agency and the department to collect such information and provide it annually by a specified date in a report to the Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; creating s. 909.04, F.S.;

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requiring the executive director of the Department of Law Enforcement to conduct regular audits of companies doing business in this state to ensure compliance with specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of <u>enforcing</u> ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a

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person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.
5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section ~~908.101~~ ~~787.07~~, Florida Statutes, is amended to read:

The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state. Further, the Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of Florida attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in Florida, the Legislature finds that the state has a compelling interest not to aid, assist, or facilitate the transportation or harboring of unauthorized aliens in Florida who have come to, entered, or remain in the United States in violation of law.

~~787.07 Human smuggling.~~

~~(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the~~

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~~United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) A person commits a separate offense for each individual he or she transports into this state in violation of~~ subsection ~~(1) this section.~~

~~(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state.~~

~~Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the carrier is found to be providing such services during the contract period.~~

~~(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.~~

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or

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local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 or pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; or

(f) Providing information to any state entity on the immigration status of a person in the custody of the law enforcement agency.~~(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.~~

Section 4. Subsection (8) of section 908.102, Florida Statutes, is created to read:~~Section 908.11, Florida Statutes, is created to read:~~

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

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Section 5. Section 908.110, Florida Statutes, is created to read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

~~(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.~~

~~(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(2a) Each county sheriff shall determine ~~make a determination of~~ the immigration status at the time of booking in county jail. Unless the arrestee can provide government-

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issued documentation showing proof of citizenship or lawful immigration status, the county sheriff shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c) to make such determination.~~, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(3b) -Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102(2), Florida Statutes, has been issued.

(3) Each clerk of the circuit court shall determine~~make a determination of~~ the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.~~ for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(4) Beginning no later than~~By~~ January 1, 2023, the data collected under subsections (2~~1~~) and, (3)~~2), and (3)~~ shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include the type of offense(s), including whether the offense(s) is a felony or misdemeanor; the county where offender was arrested or tried; the sex of offender; and whether the offender is an adult or minor.~~must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website,~~

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~~and must include all of the following:~~

~~(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.~~

~~(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.~~

Section 6. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.-

A government entity as defined in s. 163.035(1), F.S., may not execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided since the effective date of this act, any service in furtherance of transporting an unauthorized alien into the State of Florida knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the unauthorized alien has come to,

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entered, or remains in the United States in violation of law.

Section 57. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory Damages for Transporting or Harboring Unauthorized Aliens -

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined in s. 605.0102(23)(a), F.S., that —

(a) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such unauthorized alien within the State of Florida, or into the State of Florida, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the State of Florida, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) shall —

(i) pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity;

(ii) not be eligible for five years to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any government entity as defined in s. 163.035(1), F.S.; and

(iii) not be eligible for five years to receive or renew

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any license, certification, or credential issued by any government entity as defined in s. 163.035(1), F.S.

(3) Payments of statutory damages shall be deposited into the General Revenue Fund.

(4) Beginning July 1, 2022, and every two years thereafter, the Department of Economic Opportunity, with the assistance of all Executive agencies, Cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the cost of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on these aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), F.S., final agency action subject to judicial review under s. 120.68, F.S., or a decision under s. 120.569, F.S., which affect the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

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(7) The Attorney General shall publish the name of any entity found to be liable under this section and the date of the judgement on a public website.

Section 8. ~~Section 5.~~ Chapter 909, Florida Statutes, consisting of sections 909.01-909.0304, is created to read:

~~and entitled~~ Chapter 909

"Public Benefits for Illegal Aliens."

~~Section 6. Section 909.01, Florida Statutes, is created to read:~~

909.01 Definitions.— As used in this chapter, the term:

(1) "Benefits" means any payment or service funded by tax or fee revenue, or any license, certification, or credential, provided by the state. ~~"Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.~~

~~(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.~~

~~(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).~~

(2) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

~~Section 7. Section 909.02, Florida Statutes, is created to read:~~

909.02 Prohibition of benefits.—

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FL-GOV-22-0226, 20-0378-A-001972

(1) No ~~An~~ agency as defined in s. 120.52, F.S. shall ~~may not~~ provide benefits to an unauthorized ~~illegal~~ alien, except as otherwise expressly authorized or required ~~clearly required~~ by federal or state law or except where necessary to prevent ~~imminent~~ serious bodily injury or loss of life or to prevent, investigate, or prosecute criminal activity.

(2) ~~Such~~ ~~A~~agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~,~~ ~~based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(3) Each agency, as defined in s. 120.52, F.S., shall adopt rules to implement this section. ~~Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.~~

Section 8. Section 909.03, Florida Statutes, is created to read:

909.03 Collection of information on ~~health care~~ services provided to ~~illegal~~ unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care

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FL-GOV-22-0226, 20-0378-A-001973

Administration, ~~in coordination with~~ the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and ~~and~~ the Department of Health in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens. ~~shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.~~

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration shall require~~, consistent with federal and state law,~~ managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any programs~~, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, t~~This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of

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Education, and the Department of Health shall provide a report of the requested information in subsections (1) and (2) to the President of the Senate, the Speaker of the House of Representatives, and the Governor by September 1 of each year for the previous fiscal year. ~~The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.~~

~~(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.~~

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on their websites.

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(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section. ~~The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.~~

~~Section 9. Section 909.04, Florida Statutes, is created to read:~~

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FL-GOV-22-0226, 20-0378-A-001975

~~909.04 Audits of Employers.—~~

~~(1) The executive director of the Department of Law Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.~~

~~(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).~~

~~(3) The Department of Law Enforcement shall adopt rules to implement this section.~~

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~~Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:~~

~~1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.~~

~~(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a~~

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~~school district, and charter technical career centers, shall require each student to document his or her immigration status by providing a birth certificate, proof of residency, or other acceptable identification upon enrollment in school.~~

~~(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.~~

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10~~1~~. This act shall take effect upon becoming a law. ~~July 1, 2022.~~

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FL-GOV-22-0226, 20-0378-A-001977

A bill to be entitled

An act relating to trust funds; creating s. 908.113 F.S.; creating the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity; providing purposes; proclaiming that the trust fund is exempt from constitutional termination; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 908.113, Florida Statutes, is created to read:

908.113 Illegal Immigration Compensation Trust Fund -

(1) There is created the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity.

(2) Funds to be credited to the trust fund shall consist of payments recovered by the Attorney General for statutory damages as provided under s. 908.112, F.S. Moneys received and deposited into the trust fund are exempt from the service charges imposed under s. 215.20, F.S.

(3) Monies in the trust fund may be invested in such a manner as provided by law. The interest received on such investment shall be credited to the trust fund.

(4) Pursuant to the provisions of s. 19(f) (3), Article III of the State Constitution, the trust fund is exempt from termination provisions of s. 19(f) (2), Article III of the State Constitution.

Section 2. This act shall take effect upon becoming law.

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FL-GOV-22-0226, 20-0378-A-001978

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: Immigration
Date: Tuesday, November 30, 2021 9:05:26 PM
Attachments: Immigration - Draft 11-30-21.docx

Please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to immigration enforcement; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the entities eligible to request and receive copies of documentation used to verify employment eligibility; amending s. 787.07, F.S.; prohibiting state agencies and local government entities from contracting with a common carrier that is transporting illegal aliens; Prohibits an entity from receiving benefits or contracting with an agency or local governmental entity for providing transportation, housing or any other social services to illegal aliens; amending s. 908.102, F.S.; amending Sanctuary policy to include a refusal to provide information related to an investigation of a suspected alien's immigration status; creating s. 908.11, F.S.; requiring determination of immigration status during criminal proceedings; creating chapter 909, F.S.; providing definitions; prohibiting benefits to illegal aliens; providing for collection of information on health care services provided to illegal aliens; providing for employment audits by FDLE; amending s. 1009.21, F.S.; requiring postsecondary institutions to collect immigration status of students at the time of enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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FL-GOV-22-0226, 20-0378-A-001980

Section 1. Subsection (3) of section 448.095, Florida Statutes, is amended to read:

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9). The private employer must retain a copy of the documentation provided under this subparagraph for at least 3 years after the person's initial date of employment.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(d) For purposes of this subsection, compliance with

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paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of s. 448.09(1).

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

(f) If a private employer does not comply with paragraph (b), the department shall require the private employer to provide an affidavit to the department stating that the private employer will comply with paragraph (b), the private employer has terminated the employment of all unauthorized aliens in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state. If the private employer does not provide the required affidavit within 30 days after the department's request, the appropriate licensing agency shall suspend all applicable licenses held by the private

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employer until the private employer provides the department with the required affidavit. For purposes of this paragraph, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer at the private employer's primary place of business.

(g) For any private employer found to have violated paragraph (f) three times within any 36 month period, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer at the private employer's primary place of business.

Section 2. Subsection (3) and (4) of section 787.07, Florida Statutes, is created to read:

(3) No government entity as defined in s. 163.035(1), F.S. may execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier engaged in

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the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien into the State of Florida. Effective July 1, 2022 any contract between the State of Florida and a carrier must include provision for termination of the contract for cause if the carrier is found to be providing such services during the contract period.

(4) An entity, as defined in s. 605.0102(23)(a), F.S. is ineligible to receive benefits, and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity, as defined in s. 163.035(1), F.S. or any special district, if it knowingly provides transportation, housing, or any other services to illegal aliens, unless otherwise required by law.

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

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(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date;~~.~~ or

(f) Receiving any information related to an investigation determining a suspected illegal alien's immigration status.

Section 4. Section 908.11, Florida Statutes, is created to read:

908.11 – Immigration Identification and Reporting.

(1) Each law enforcement agency operating a county jail shall enter into a formal written agreement with the U.S. Immigration and Customs enforcement to participate in the immigration program established under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357. Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023.

(a) By October 1, 2022, each law enforcement agency operating a county jail must notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.

(b) Law enforcement agencies operating a county jail shall utilize such partnerships to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.

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(2) Each county sheriff shall make a determination of immigration status at the time of booking in county jail, as authorized in 8 U.S.C. s. 1226(d)(3).

(3) Each clerk of the circuit court shall make a determination of immigration status at the time of sentencing for any inmate in the state, as authorized in 8 U.S.C. s. 1226(d)(3).

(4) By January 1, 2023, the data collected in subsections (1), (2), and (3) shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include:

1. The number of felony offenders held on an immigration detainer, pursuant to s. 908.102(2); providing data by sex and county, specifying the number that were under 18 years of age.

2. The number of felony offenders on an immigration detainer, pursuant to s. 908.102(2), by felony offense. If more than one felony offense was committed the primary or most severe offense should be reported followed by all other offenses committed.

Section 5. Chapter 909, Florida Statutes, consisting of sections 909.01 - 909.04, is created to read:

CHAPTER 909

Public Benefits for Illegal Aliens

909.01 Definitions. - As used in this chapter, the term:

(1) "Illegal alien" means an alien as defined in 8 U.S.C. § 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.

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(2) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. § 279(g)(2).

(3) "Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.

909.02 Prohibition of benefits. -

(1) No agency as defined in s. 120.52, F.S. shall provide benefits to an illegal alien except as otherwise clearly required by federal or state law or expect where necessary to prevent imminent serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) All agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs such as the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program (known as "SAVE"), to confirm eligibility, based on immigration status prior to providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.

(3) Unless otherwise specified in law, illegal aliens are prohibited from receiving educational scholarships, fee waivers, and financial assistance as specified in Chapter 1009, Florida Statutes, for public postsecondary education institution.

909.03 Collection of information on health care services provided to illegal aliens.-

(1) The Agency for Health Care Administration in coordination with the Department of Children and Families, and the Department of Health in coordination with County Health Departments, shall use all lawful means available to determine

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FL-GOV-22-0226, 20-0378-A-001987

the amount of state and local funds expended on the provision of services under their agency programs including, but not limited to, health care, emergency care, of illegal aliens in the State of Florida for Fiscal Year 2021 and for each fiscal year thereafter.

(2) The Agency for Health Care Administration shall require, consistent with federal and state law, managed care plans and hospitals to report any expenditures incurred for illegal aliens, including but not limited to any programs in which the state participates with federal government agencies or collects and remits inter-governmental transfers for the purpose of local governments participating with federal government agencies in any program, for each fiscal year beginning with Fiscal Year 2021. Where possible, this information should distinguish between federal, state, and local funds.

(2)(a) The Agency for Health Care Administration and the Department of Health shall provide the requested information in subsections (1) and (2) for the previous fiscal year to the Executive Office of the Governor by September 1 of each year.

(2)(b) The Agency for Health Care Administration and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on its website.

(3) The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.

909.04 Audits of Employers.-

(1) The Commissioner of the Florida Department of Law Enforcement, in consultation with the Attorney General, shall

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001988

conduct regular audits of companies doing business in the State of Florida, consistent with available appropriations, to ensure compliance with Section 448.095(3), Florida Statutes, which requires private employers to verify the employment eligibility of new employees.

(1) The Commissioner shall notify the Department of Economic Opportunity of any violations of Section 448.095(3), Florida Statutes, within 30 days and the Department shall take appropriate action under Section 448.095(3)f).

(2) The Florida Department of Law Enforcement shall adopt rules to implement this section.

Section 6. Subsections (13) and (14) of section 1009.21, Florida Statutes, is amended to read:

(13) Each public postsecondary education institution, including the Florida College System, State University System, career centers operated by a school district, and charter technical career centers, shall require each student to present a status of immigration upon enrollment in school. As needed, each institution may request documentation such as: a birth certificate, proof of residency, or any other acceptable identification to prove immigration status.

(a) The State Board of Education, Board of Governors, district school boards with a career center, and board of directors of a charter technical career center, shall establish and enforce policies to collect the immigration status from each student prior to enrollment in school.

~~(13)~~ (14) The State Board of Education and the Board of Governors shall adopt rules to implement this section.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001989

Section 7. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Bcc: Burdette,Brenda
Subject: Immigration
Date: Tuesday, November 30, 2021 9:05:24 PM
Attachments: Immigration - Draft 11-30-21.docx

Please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to immigration enforcement; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the entities eligible to request and receive copies of documentation used to verify employment eligibility; amending s. 787.07, F.S.; prohibiting state agencies and local government entities from contracting with a common carrier that is transporting illegal aliens; Prohibits an entity from receiving benefits or contracting with an agency or local governmental entity for providing transportation, housing or any other social services to illegal aliens; amending s. 908.102, F.S.; amending Sanctuary policy to include a refusal to provide information related to an investigation of a suspected alien's immigration status; creating s. 908.11, F.S.; requiring determination of immigration status during criminal proceedings; creating chapter 909, F.S.; providing definitions; prohibiting benefits to illegal aliens; providing for collection of information on health care services provided to illegal aliens; providing for employment audits by FDLE; amending s. 1009.21, F.S.; requiring postsecondary institutions to collect immigration status of students at the time of enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001992

Section 1. Subsection (3) of section 448.095, Florida Statutes, is amended to read:

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9). The private employer must retain a copy of the documentation provided under this subparagraph for at least 3 years after the person's initial date of employment.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(d) For purposes of this subsection, compliance with

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001993

paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of s. 448.09(1).

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

(f) If a private employer does not comply with paragraph (b), the department shall require the private employer to provide an affidavit to the department stating that the private employer will comply with paragraph (b), the private employer has terminated the employment of all unauthorized aliens in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state. If the private employer does not provide the required affidavit within 30 days after the department's request, the appropriate licensing agency shall suspend all applicable licenses held by the private

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AMERICAN OVERSIGHT

employer until the private employer provides the department with the required affidavit. For purposes of this paragraph, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer at the private employer's primary place of business.

(g) For any private employer found to have violated paragraph (f) three times within any 36 month period, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer at the private employer's primary place of business.

Section 2. Subsection (3) and (4) of section 787.07, Florida Statutes, is created to read:

(3) No government entity as defined in s. 163.035(1), F.S. may execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier engaged in

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001995

the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien into the State of Florida. Effective July 1, 2022 any contract between the State of Florida and a carrier must include provision for termination of the contract for cause if the carrier is found to be providing such services during the contract period.

(4) An entity, as defined in s. 605.0102(23)(a), F.S. is ineligible to receive benefits, and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity, as defined in s. 163.035(1), F.S. or any special district, if it knowingly provides transportation, housing, or any other services to illegal aliens, unless otherwise required by law.

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001996

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; ~~.~~ or

(f) Receiving any information related to an investigation determining a suspected illegal alien's immigration status.

Section 4. Section 908.11, Florida Statutes, is created to read:

908.11 – Immigration Identification and Reporting.

(1) Each law enforcement agency operating a county jail shall enter into a formal written agreement with the U.S. Immigration and Customs enforcement to participate in the immigration program established under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357. Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023.

(a) By October 1, 2022, each law enforcement agency operating a county jail must notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.

(b) Law enforcement agencies operating a county jail shall utilize such partnerships to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001997

(2) Each county sheriff shall make a determination of immigration status at the time of booking in county jail, as authorized in 8 U.S.C. s. 1226(d)(3).

(3) Each clerk of the circuit court shall make a determination of immigration status at the time of sentencing for any inmate in the state, as authorized in 8 U.S.C. s. 1226(d)(3).

(4) By January 1, 2023, the data collected in subsections (1), (2), and (3) shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include:

1. The number of felony offenders held on an immigration detainer, pursuant to s. 908.102(2); providing data by sex and county, specifying the number that were under 18 years of age.

2. The number of felony offenders on an immigration detainer, pursuant to s. 908.102(2), by felony offense. If more than one felony offense was committed the primary or most severe offense should be reported followed by all other offenses committed.

Section 5. Chapter 909, Florida Statutes, consisting of sections 909.01 - 909.04, is created to read:

CHAPTER 909

Public Benefits for Illegal Aliens

909.01 Definitions. - As used in this chapter, the term:

(1) "Illegal alien" means an alien as defined in 8 U.S.C. § 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001998

(2) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. § 279(g)(2).

(3) "Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.

909.02 Prohibition of benefits. -

(1) No agency as defined in s. 120.52, F.S. shall provide benefits to an illegal alien except as otherwise clearly required by federal or state law or expect where necessary to prevent imminent serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) All agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs such as the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program (known as "SAVE"), to confirm eligibility, based on immigration status prior to providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.

(3) Unless otherwise specified in law, illegal aliens are prohibited from receiving educational scholarships, fee waivers, and financial assistance as specified in Chapter 1009, Florida Statutes, for public postsecondary education institution.

909.03 Collection of information on health care services provided to illegal aliens.-

(1) The Agency for Health Care Administration in coordination with the Department of Children and Families, and the Department of Health in coordination with County Health Departments, shall use all lawful means available to determine

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-001999

the amount of state and local funds expended on the provision of services under their agency programs including, but not limited to, health care, emergency care, of illegal aliens in the State of Florida for Fiscal Year 2021 and for each fiscal year thereafter.

(2) The Agency for Health Care Administration shall require, consistent with federal and state law, managed care plans and hospitals to report any expenditures incurred for illegal aliens, including but not limited to any programs in which the state participates with federal government agencies or collects and remits inter-governmental transfers for the purpose of local governments participating with federal government agencies in any program, for each fiscal year beginning with Fiscal Year 2021. Where possible, this information should distinguish between federal, state, and local funds.

(2)(a) The Agency for Health Care Administration and the Department of Health shall provide the requested information in subsections (1) and (2) for the previous fiscal year to the Executive Office of the Governor by September 1 of each year.

(2)(b) The Agency for Health Care Administration and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on its website.

(3) The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.

909.04 Audits of Employers.-

(1) The Commissioner of the Florida Department of Law Enforcement, in consultation with the Attorney General, shall

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002000

conduct regular audits of companies doing business in the State of Florida, consistent with available appropriations, to ensure compliance with Section 448.095(3), Florida Statutes, which requires private employers to verify the employment eligibility of new employees.

(1) The Commissioner shall notify the Department of Economic Opportunity of any violations of Section 448.095(3), Florida Statutes, within 30 days and the Department shall take appropriate action under Section 448.095(3)f).

(2) The Florida Department of Law Enforcement shall adopt rules to implement this section.

Section 6. Subsections (13) and (14) of section 1009.21, Florida Statutes, is amended to read:

(13) Each public postsecondary education institution, including the Florida College System, State University System, career centers operated by a school district, and charter technical career centers, shall require each student to present a status of immigration upon enrollment in school. As needed, each institution may request documentation such as: a birth certificate, proof of residency, or any other acceptable identification to prove immigration status.

(a) The State Board of Education, Board of Governors, district school boards with a career center, and board of directors of a charter technical career center, shall establish and enforce policies to collect the immigration status from each student prior to enrollment in school.

~~(13)~~ (14) The State Board of Education and the Board of Governors shall adopt rules to implement this section.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002001

Section 7. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Bcc:	Burdette,Brenda
Subject:	Immigration
Date:	Tuesday, November 30, 2021 9:05:21 PM
Attachments:	Immigration - Draft 11-30-21.docx

Please put this in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to immigration enforcement; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the entities eligible to request and receive copies of documentation used to verify employment eligibility; amending s. 787.07, F.S.; prohibiting state agencies and local government entities from contracting with a common carrier that is transporting illegal aliens; Prohibits an entity from receiving benefits or contracting with an agency or local governmental entity for providing transportation, housing or any other social services to illegal aliens; amending s. 908.102, F.S.; amending Sanctuary policy to include a refusal to provide information related to an investigation of a suspected alien's immigration status; creating s. 908.11, F.S.; requiring determination of immigration status during criminal proceedings; creating chapter 909, F.S.; providing definitions; prohibiting benefits to illegal aliens; providing for collection of information on health care services provided to illegal aliens; providing for employment audits by FDLE; amending s. 1009.21, F.S.; requiring postsecondary institutions to collect immigration status of students at the time of enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002004

Section 1. Subsection (3) of section 448.095, Florida Statutes, is amended to read:

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9). The private employer must retain a copy of the documentation provided under this subparagraph for at least 3 years after the person's initial date of employment.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(d) For purposes of this subsection, compliance with

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002005

paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of s. 448.09(1).

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

(f) If a private employer does not comply with paragraph (b), the department shall require the private employer to provide an affidavit to the department stating that the private employer will comply with paragraph (b), the private employer has terminated the employment of all unauthorized aliens in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state. If the private employer does not provide the required affidavit within 30 days after the department's request, the appropriate licensing agency shall suspend all applicable licenses held by the private

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AMERICAN OVERSIGHT

employer until the private employer provides the department with the required affidavit. For purposes of this paragraph, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer at the private employer's primary place of business.

(g) For any private employer found to have violated paragraph (f) three times within any 36 month period, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer's business in general, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer at the private employer's primary place of business.

Section 2. Subsection (3) and (4) of section 787.07, Florida Statutes, is created to read:

(3) No government entity as defined in s. 163.035(1), F.S. may execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier engaged in

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002007

the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien into the State of Florida. Effective July 1, 2022 any contract between the State of Florida and a carrier must include provision for termination of the contract for cause if the carrier is found to be providing such services during the contract period.

(4) An entity, as defined in s. 605.0102(23)(a), F.S. is ineligible to receive benefits, and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity, as defined in s. 163.035(1), F.S. or any special district, if it knowingly provides transportation, housing, or any other services to illegal aliens, unless otherwise required by law.

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002008

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; ~~.~~ or

(f) Receiving any information related to an investigation determining a suspected illegal alien's immigration status.

Section 4. Section 908.11, Florida Statutes, is created to read:

908.11 – Immigration Identification and Reporting.

(1) Each law enforcement agency operating a county jail shall enter into a formal written agreement with the U.S. Immigration and Customs enforcement to participate in the immigration program established under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357. Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023.

(a) By October 1, 2022, each law enforcement agency operating a county jail must notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.

(b) Law enforcement agencies operating a county jail shall utilize such partnerships to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002009

(2) Each county sheriff shall make a determination of immigration status at the time of booking in county jail, as authorized in 8 U.S.C. s. 1226(d)(3).

(3) Each clerk of the circuit court shall make a determination of immigration status at the time of sentencing for any inmate in the state, as authorized in 8 U.S.C. s. 1226(d)(3).

(4) By January 1, 2023, the data collected in subsections (1), (2), and (3) shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include:

1. The number of felony offenders held on an immigration detainer, pursuant to s. 908.102(2); providing data by sex and county, specifying the number that were under 18 years of age.

2. The number of felony offenders on an immigration detainer, pursuant to s. 908.102(2), by felony offense. If more than one felony offense was committed the primary or most severe offense should be reported followed by all other offenses committed.

Section 5. Chapter 909, Florida Statutes, consisting of sections 909.01 - 909.04, is created to read:

CHAPTER 909

Public Benefits for Illegal Aliens

909.01 Definitions. - As used in this chapter, the term:

(1) "Illegal alien" means an alien as defined in 8 U.S.C. § 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002010

(2) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. § 279(g)(2).

(3) "Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.

909.02 Prohibition of benefits. -

(1) No agency as defined in s. 120.52, F.S. shall provide benefits to an illegal alien except as otherwise clearly required by federal or state law or expect where necessary to prevent imminent serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) All agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs such as the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program (known as "SAVE"), to confirm eligibility, based on immigration status prior to providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.

(3) Unless otherwise specified in law, illegal aliens are prohibited from receiving educational scholarships, fee waivers, and financial assistance as specified in Chapter 1009, Florida Statutes, for public postsecondary education institution.

909.03 Collection of information on health care services provided to illegal aliens.-

(1) The Agency for Health Care Administration in coordination with the Department of Children and Families, and the Department of Health in coordination with County Health Departments, shall use all lawful means available to determine

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002011

the amount of state and local funds expended on the provision of services under their agency programs including, but not limited to, health care, emergency care, of illegal aliens in the State of Florida for Fiscal Year 2021 and for each fiscal year thereafter.

(2) The Agency for Health Care Administration shall require, consistent with federal and state law, managed care plans and hospitals to report any expenditures incurred for illegal aliens, including but not limited to any programs in which the state participates with federal government agencies or collects and remits inter-governmental transfers for the purpose of local governments participating with federal government agencies in any program, for each fiscal year beginning with Fiscal Year 2021. Where possible, this information should distinguish between federal, state, and local funds.

(2)(a) The Agency for Health Care Administration and the Department of Health shall provide the requested information in subsections (1) and (2) for the previous fiscal year to the Executive Office of the Governor by September 1 of each year.

(2)(b) The Agency for Health Care Administration and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on its website.

(3) The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.

909.04 Audits of Employers.-

(1) The Commissioner of the Florida Department of Law Enforcement, in consultation with the Attorney General, shall

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002012

conduct regular audits of companies doing business in the State of Florida, consistent with available appropriations, to ensure compliance with Section 448.095(3), Florida Statutes, which requires private employers to verify the employment eligibility of new employees.

(1) The Commissioner shall notify the Department of Economic Opportunity of any violations of Section 448.095(3), Florida Statutes, within 30 days and the Department shall take appropriate action under Section 448.095(3)f).

(2) The Florida Department of Law Enforcement shall adopt rules to implement this section.

Section 6. Subsections (13) and (14) of section 1009.21, Florida Statutes, is amended to read:

(13) Each public postsecondary education institution, including the Florida College System, State University System, career centers operated by a school district, and charter technical career centers, shall require each student to present a status of immigration upon enrollment in school. As needed, each institution may request documentation such as: a birth certificate, proof of residency, or any other acceptable identification to prove immigration status.

(a) The State Board of Education, Board of Governors, district school boards with a career center, and board of directors of a charter technical career center, shall establish and enforce policies to collect the immigration status from each student prior to enrollment in school.

~~(13)~~ (14) The State Board of Education and the Board of Governors shall adopt rules to implement this section.

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FL-GOV-22-0226, 20-0378-A-002013

279 Section 7. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002014

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: Immigration
Date: Tuesday, January 4, 2022 2:21:40 PM
Attachments: 5-01386-22 Immigration - track changes - 1-4-22.docx
Immigration Trust Fund bill - Final 12-21-21.docx

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility; amending s. 908.101, F.S.; providing legislative intent; for the enforcement of specified provisions; ~~amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances;~~ amending s. 908.102, F.S.; amending sanctuary policy to include a refusal to cooperate or share information; ~~revising the definition of the term "sanctuary policy";~~ creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program; requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail; providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the

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AMERICAN OVERSIGHT

Department of Law Enforcement; requiring the department to post the data on its website; creating ch. 909, F.S., entitled "Public Benefits for Illegal Aliens"; creating s. 909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an illegal alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.; requiring the Agency for Health Care Administration and the Department of Health to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to illegal aliens for specified fiscal years; requiring the agency to require managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens for specified fiscal years; requiring the agency and the department to collect such information and provide it annually by a specified date in a report to the Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; creating s. 909.04, F.S.;

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FL-GOV-22-0226, 20-0378-A-002017

requiring the executive director of the Department of Law Enforcement to conduct regular audits of companies doing business in this state to ensure compliance with specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of <u>enforcing</u> ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002018

person's employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.
5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section ~~908.101~~ ~~787.07~~, Florida Statutes, is amended to read:

The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state. Further, the Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of Florida attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in Florida, the Legislature finds that the state has a compelling interest not to aid, assist, or facilitate the transportation or harboring of unauthorized aliens in Florida who have come to, entered, or remain in the United States in violation of law.

~~787.07 Human smuggling.—~~

~~(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the~~

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002019

~~United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) A person commits a separate offense for each individual he or she transports into this state in violation of~~ subsection ~~(1) this section.~~

~~(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state.~~

~~Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the carrier is found to be providing such services during the contract period.~~

~~(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.~~

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or

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FL-GOV-22-0226, 20-0378-A-002020

local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 or pursuant to s. 908.11; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; or

(f) Providing information to any state entity on the immigration status of a person in the custody of the law enforcement agency.~~(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.~~

Section 4. Subsection (8) of section 908.102, Florida Statutes, is created to read:~~Section 908.11, Florida Statutes, is created to read:~~

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002021

Section 5. Section 908.110, Florida Statutes, is created to read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

~~(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.~~

~~(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(2a) Each county sheriff shall determine ~~make a determination of~~ the immigration status at the time of booking in county jail. Unless the arrestee can provide government-

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002022

issued documentation showing proof of citizenship or lawful immigration status, the county sheriff shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c) to make such determination.~~, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(3b) -Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102(2), Florida Statutes, has been issued.

(3) Each clerk of the circuit court shall determine~~make a determination of~~ the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.~~ for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(4) Beginning no later than~~By~~ January 1, 2023, the data collected under subsections (2~~1~~) and, (3)~~2), and (3)~~ shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include the type of offense(s), including whether the offense(s) is a felony or misdemeanor; the county where offender was arrested or tried; the sex of offender; and whether the offender is an adult or minor.~~must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website,~~

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002023

~~and must include all of the following:~~

~~(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.~~

~~(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.~~

Section 6. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.-

A government entity as defined in s. 163.035(1), F.S., may not execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided since the effective date of this act, any service in furtherance of transporting an unauthorized alien into the State of Florida knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the unauthorized alien has come to,

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FL-GOV-22-0226, 20-0378-A-002024

entered, or remains in the United States in violation of law.

Section 57. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory Damages for Transporting or Harboring Unauthorized Aliens -

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined in s. 605.0102(23)(a), F.S., that —

(a) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such unauthorized alien within the State of Florida, or into the State of Florida, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the State of Florida, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) shall —

(i) pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity;

(ii) not be eligible for five years to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any government entity as defined in s. 163.035(1), F.S.; and

(iii) not be eligible for five years to receive or renew

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FL-GOV-22-0226, 20-0378-A-002025

any license, certification, or credential issued by any government entity as defined in s. 163.035(1), F.S.

(3) Payments of statutory damages shall be deposited into the General Revenue Fund.

(4) Beginning July 1, 2022, and every two years thereafter, the Department of Economic Opportunity, with the assistance of all Executive agencies, Cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the cost of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on these aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), F.S., final agency action subject to judicial review under s. 120.68, F.S., or a decision under s. 120.569, F.S., which affect the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002026

(7) The Attorney General shall publish the name of any entity found to be liable under this section and the date of the judgement on a public website.

Section 8. ~~Section 5.~~ Chapter 909, Florida Statutes, consisting of sections 909.01-909.0304, is created to read:

~~and entitled~~ Chapter 909

"Public Benefits for Illegal Aliens."

~~Section 6. Section 909.01, Florida Statutes, is created to read:~~

909.01 Definitions.— As used in this chapter, the term:

(1) "Benefits" means any payment or service funded by tax or fee revenue, or any license, certification, or credential, provided by the state. ~~"Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.~~

~~(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.~~

~~(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).~~

(2) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

~~Section 7. Section 909.02, Florida Statutes, is created to read:~~

909.02 Prohibition of benefits.—

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002027

(1) No ~~An~~ agency as defined in s. 120.52, F.S. shall ~~may not~~ provide benefits to an unauthorized ~~illegal~~ alien, except as otherwise expressly authorized or required ~~clearly required~~ by federal or state law or except where necessary to prevent ~~imminent~~ serious bodily injury or loss of life or to prevent, investigate, or prosecute criminal activity.

(2) ~~Such~~ ~~A~~agencies as defined in s. 120.52, F.S. shall use any applicable and available federal rules or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~,~~ ~~based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(3) Each agency, as defined in s. 120.52, F.S., shall adopt rules to implement this section. ~~Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.~~

Section 8. Section 909.03, Florida Statutes, is created to read:

909.03 Collection of information on ~~health care~~ services provided to ~~illegal~~ unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care

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FL-GOV-22-0226, 20-0378-A-002028

Administration, ~~in coordination with~~ the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and ~~and~~ the Department of Health in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens. ~~shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.~~

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration shall require~~, consistent with federal and state law,~~ managed care plans and hospitals to report any expenditures incurred for the provision of services to illegal aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any programs~~, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, t~~This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of

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FL-GOV-22-0226, 20-0378-A-002029

Education, and the Department of Health shall provide a report of the requested information in subsections (1) and (2) to the President of the Senate, the Speaker of the House of Representatives, and the Governor by September 1 of each year for the previous fiscal year. ~~The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.~~

~~(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.~~

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on their websites.

(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section. ~~The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.~~

~~Section 9. Section 909.04, Florida Statutes, is created to read:~~

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002030

~~909.04 Audits of Employers.—~~

~~(1) The executive director of the Department of Law Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.~~

~~(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).~~

~~(3) The Department of Law Enforcement shall adopt rules to implement this section.~~

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~~Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:~~

~~1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.~~

~~(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a~~

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002031

~~school district, and charter technical career centers, shall require each student to document his or her immigration status by providing a birth certificate, proof of residency, or other acceptable identification upon enrollment in school.~~

~~(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.~~

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10~~1~~. This act shall take effect upon becoming a law. ~~July 1, 2022.~~

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FL-GOV-22-0226, 20-0378-A-002032

A bill to be entitled

An act relating to trust funds; creating s. 908.113 F.S.; creating the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity; providing purposes; proclaiming that the trust fund is exempt from constitutional termination; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 908.113, Florida Statutes, is created to read:

908.113 Illegal Immigration Compensation Trust Fund -

(1) There is created the Illegal Immigration Compensation Trust Fund within the Department of Economic Opportunity.

(2) Funds to be credited to the trust fund shall consist of payments recovered by the Attorney General for statutory damages as provided under s. 908.112, F.S. Moneys received and deposited into the trust fund are exempt from the service charges imposed under s. 215.20, F.S.

(3) Monies in the trust fund may be invested in such a manner as provided by law. The interest received on such investment shall be credited to the trust fund.

(4) Pursuant to the provisions of s. 19(f) (3), Article III of the State Constitution, the trust fund is exempt from termination provisions of s. 19(f) (2), Article III of the State Constitution.

Section 2. This act shall take effect upon becoming law.

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V

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FL-GOV-22-0226, 20-0378-A-002033

From:	Kopelousos, Stephanie
To:	Kopelousos, Stephanie
Bcc:	Garrison, Sam; Bradley.Jennifer; bean.aaron flsenate.gov; cord.byrd myfloridahouse.gov; Snyder, John
Subject:	Information
Date:	Saturday, December 11, 2021 12:36:22 PM
Attachments:	Biden Border Crisis.pdf

Just wanted to show the information from yesterdays press conference.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

BIDEN BORDER CRISIS

LEGISLATIVE PROPOSAL:

- ☑ **Prohibits all state and local agencies from doing business with or providing benefits to any private entities that knowingly or recklessly facilitate the resettlement of illegal aliens in the State of Florida.**
- ☑ **Bars state agencies from entering or renewing contracts with carriers that are knowingly transporting illegal aliens into the State of Florida.**
- ☑ **Requires private entities that knowingly or recklessly facilitate illegal immigration into Florida to provide compensation to the state for the costs of illegal immigration that fall on the public.**
- ☑ **Requires county jails and courts to collect immigration status information at time of arrest and conviction. Information must be reported to FDLE and published on its website.**
- ☑ **Strengthens E-verify enforcement by adding the Department of Economic Opportunity as an enforcing agency.**
- ☑ **The State of Florida will not provide any discretionary benefits to illegal aliens. All agencies will be required to confirm eligibility for benefits. ACHA, DCF, DOH, Medicaid plans, and hospitals must report and publish expenditures for illegal aliens.**

EMERGENCY RULE:

- ☑ **DCF'S emergency rule will prohibit the issuance or renewal of any license to provide services to unaccompanied alien minors who seek to be resettled in Florida unless there is a cooperative agreement between the state and federal government.**
- ☑ **The rule also requires existing licensees to conduct regular welfare checks to ensure the safety of alien children already in the state.**

SECURE OUR BORDER

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Kopelousos, Stephanie
Bcc:	Garrison, Sam; Bradley.Jennifer; bean.aaron flsenate.gov; cord.byrd myfloridahouse.gov; Snyder, John
Subject:	Information
Date:	Saturday, December 11, 2021 12:36:22 PM
Attachments:	Biden Border Crisis.pdf

Just wanted to show the information from yesterdays press conference.
Stephanie

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AMERICAN OVERSIGHT

BIDEN BORDER CRISIS

LEGISLATIVE PROPOSAL:

- ☑ **Prohibits all state and local agencies from doing business with or providing benefits to any private entities that knowingly or recklessly facilitate the resettlement of illegal aliens in the State of Florida.**
- ☑ **Bars state agencies from entering or renewing contracts with carriers that are knowingly transporting illegal aliens into the State of Florida.**
- ☑ **Requires private entities that knowingly or recklessly facilitate illegal immigration into Florida to provide compensation to the state for the costs of illegal immigration that fall on the public.**
- ☑ **Requires county jails and courts to collect immigration status information at time of arrest and conviction. Information must be reported to FDLE and published on its website.**
- ☑ **Strengthens E-verify enforcement by adding the Department of Economic Opportunity as an enforcing agency.**
- ☑ **The State of Florida will not provide any discretionary benefits to illegal aliens. All agencies will be required to confirm eligibility for benefits. ACHA, DCF, DOH, Medicaid plans, and hospitals must report and publish expenditures for illegal aliens.**

EMERGENCY RULE:

- ☑ **DCF'S emergency rule will prohibit the issuance or renewal of any license to provide services to unaccompanied alien minors who seek to be resettled in Florida unless there is a cooperative agreement between the state and federal government.**
- ☑ **The rule also requires existing licensees to conduct regular welfare checks to ensure the safety of alien children already in the state.**

SECURE OUR BORDER

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; LaMarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; Harrell, Gayle; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Mears, Kathy; mat.bahl@myfloridahouse.gov

Subject: Invite - State of the State Reception 2022

Date: Saturday, January 8, 2022 11:32:03 AM

Attachments: Invite - State of the State Reception 2022.pdf

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On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002040

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; 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Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; Mears, Kathy; mat.bahl@myfloridahouse.gov
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Date: Saturday, January 8, 2022 11:32:03 AM
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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002043

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Gilley, Janice
Date:	Wednesday, March 2, 2022 2:30:00 PM

Thursday, March 3

10:00 a.m. – 10:45 a.m. CT – Press Conference – Free Speech of Health Care Practitioners

Location: Florida State University Panama City, Holley Academic Center, 4750 Collegiate Drive, Panama City, FL 32405

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Gilley, Janice
Date: Wednesday, March 2, 2022 2:30:00 PM

Thursday, March 3

10:00 a.m. – 10:45 a.m. CT – Press Conference – Free Speech of Health Care Practitioners

Location: Florida State University Panama City, Holley Academic Center, 4750 Collegiate Drive, Panama City, FL 32405

Stephanie Kopelousos
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850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	"Shuler, Sarah"
Cc:	Shays, Tonya
Bcc:	Spencer, Chris
Subject:	RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date:	Thursday, December 16, 2021 1:54:10 PM

Thanks combining them in one would be great….thank you so much for all your help

---

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Thursday, December 16, 2021 12:00 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Stephanie,
All of the fees may be combined into one draft. Just let me know if that is the intent, and I'll be happy to combine the three attachments.

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Thursday, December 16, 2021 11:30 AM
To: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Subject: Fwd: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Sarah - Stephanie Kopelousos with Gov's office has a question concerning the draft below — I'm not at the office but if you could reach out to her via email or phone that would be great. You are welcome to discuss the draft directly with her. Stephanie.Kopelousos@eog.myflorida.com

Sent from my iPhone

Begin forwarded message:

> **From:** "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
> **Date:** December 16, 2021 at 9:48:36 AM EST
> **To:** "Shays, Tonya" <SHAYS.TONYA@flsenate.gov>

AMERICAN OVERSIGHT

Subject: RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)

The question is do we need 3 different fee bills or can they be combined into one.

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Wednesday, December 15, 2021 9:19 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Importance: High

Good Morning!
Please see the email below – the attorney drafting this bill said she has two versions so wanted to clarify which to draft – she is waiting for further instruction before she proceeds. If you have a name in your office that can speak to her directly to clarify the instructions I will share that with her and they can speak directly.
Thanks,
Tonya

From: Shays, Tonya
Sent: Friday, December 3, 2021 9:45 AM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Please review below and let me know how you'd like Bill Drafting to proceed. I can certainly authorize them to talk directly to you folks if you'd like to get us out of the loop.
Tonya

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Friday, December 3, 2021 9:37 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Tonya,
I was just checking in about which version I should draft for the fee bill. Since the only difference among them is the amount and entity responsible for paying the fee, this is a policy choice on which I will need additional direction.

Also, I wanted to mention ahead of time that the general administrative and rulemaking authority included in the attached language for the fee bill will have to be put into the linked substantive bill. The constitutional provision regarding fees requires that the bill only include the fee as the subject matter. But, this will be very straightforward for me to transfer to the other draft.

Thanks for your help and I hope you have a great Friday!

AMERICAN OVERSIGHT

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
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(850) 487-5312

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date: Thursday, December 16, 2021 9:48:09 AM

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Sent: Wednesday, December 15, 2021 9:19 AM
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To:	Shays, Tonya
Subject:	RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date:	Thursday, December 16, 2021 9:48:09 AM

The question is do we need 3 different fee bills or can they be combined into one.

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Wednesday, December 15, 2021 9:19 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Importance: High

Good Morning!
Please see the email below – the attorney drafting this bill said she has two versions so wanted to clarify which to draft – she is waiting for further instruction before she proceeds. If you have a name in your office that can speak to her directly to clarify the instructions I will share that with her and they can speak directly.
Thanks,
Tonya

From: Shays, Tonya
Sent: Friday, December 3, 2021 9:45 AM
To: 'Kopelousos, Stephanie' <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Please review below and let me know how you'd like Bill Drafting to proceed. I can certainly authorize them to talk directly to you folks if you'd like to get us out of the loop.
Tonya

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Friday, December 3, 2021 9:37 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Tonya,
I was just checking in about which version I should draft for the fee bill. Since the only difference among them is the amount and entity responsible for paying the fee, this is a policy choice on which I will need additional direction.

Also, I wanted to mention ahead of time that the general administrative and rulemaking authority included in the attached language for the fee bill will have to be put into the linked substantive bill. The constitutional provision regarding fees requires that the bill only include the fee as the subject matter. But, this will be very straightforward for me to transfer to the other draft.

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Thanks for your help and I hope you have a great Friday!

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shuler, Sarah
Cc:	Shays, Tonya
Bcc:	Spencer, Chris
Subject:	RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Date:	Thursday, December 16, 2021 1:54:10 PM

Thanks combining them in one would be great….thank you so much for all your help

---

From: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Sent: Thursday, December 16, 2021 12:00 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Stephanie,
All of the fees may be combined into one draft. Just let me know if that is the intent, and I'll be happy to combine the three attachments.

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Thursday, December 16, 2021 11:30 AM
To: Shuler, Sarah <Shuler.Sarah@flsenate.gov>
Subject: Fwd: Draft Number: 5-01387-22 (Income Tax Fee Bill)

Hi Sarah - Stephanie Kopelousos with Gov's office has a question concerning the draft below — I'm not at the office but if you could reach out to her via email or phone that would be great. You are welcome to discuss the draft directly with her. Stephanie.Kopelousos@eog.myflorida.com

Sent from my iPhone

Begin forwarded message:

> **From:** "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
> **Date:** December 16, 2021 at 9:48:36 AM EST

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To: "Shays, Tonya" <SHAYS.TONYA@flsenate.gov>
Subject: RE: Draft Number: 5-01387-22 (Income Tax Fee Bill)

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To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)
Importance: High

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Sent: Friday, December 3, 2021 9:45 AM
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Subject: FW: Draft Number: 5-01387-22 (Income Tax Fee Bill)

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Tonya

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Sent: Friday, December 3, 2021 9:37 AM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: Draft Number: 5-01387-22 (Income Tax Fee Bill)

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Thanks for your help and I hope you have a great Friday!

Sarah Shuler
Attorney
Florida Senate
Office of Bill Drafting
310 The Capitol
404 S. Monroe St.
Tallahassee, FL 32399
(850) 487-5312

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	RE: Immigration
Date:	Tuesday, January 4, 2022 4:29:41 PM
Attachments:	5-01386-22 Immigration - track changes - 1-4-22.docx

Here are the edits for the immigration bill

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:36 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE: Immigration

Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:34 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: RE: Immigration

82889 is the immigration bill
83258 is the Trust fund bill

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:30 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE: Immigration

You have a house draft number for the immigration bill and/or the TF language? – that way Senate drafting can speak to House drafting, etc… will save time.
Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:22 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Immigration

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos

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Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility; amending s. 908.101, F.S.; providing legislative intent; ~~for the enforcement of specified provisions; amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances;~~ amending s. 908.102, F.S.; amending sanctuary policy to include a refusal to cooperate or share information; amending s. 908.102, F.S.; defining unauthorized alien; creating s. 908.110, F.S.; requiring determination of immigration status during criminal proceedings; creating s. 908.111, F.S.; prohibiting an entity from contracting with a governmental entity if the entity knowingly transports unauthorized aliens; creating s. 908.112, F.S.; providing for statutory damages and other consequences for transporting or harboring unauthorized aliens; requiring the Department of Economic Opportunity to estimate the number of unauthorized aliens in Florida and the costs to the state per unauthorized alien;

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establishing a hotline for receiving reports alleging potential liability; creating s. 908.112, F.S.; providing for payments of statutory damages; ~~revising the definition of the term "sanctuary policy";~~ ~~creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program;~~ ~~requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail;~~ ~~providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the Department of Law Enforcement; requiring the department to post the data on its website;~~ creating ch. 909, F.S., entitled "Public Benefits for ~~Illegal~~ Unauthorized Aliens"; creating s. 909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an ~~illegal~~ unauthorized alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; ~~prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.;~~ requiring ~~the Agency for Health Care~~

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~~Administration and the Department of Health~~the Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health, in coordination with County Health Departments ~~-~~to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to ~~illegal~~ unauthorized aliens for specified fiscal years; requiring the ~~agency~~ Agency for Healthcare Administration to require managed care plans and hospitals to report any expenditures incurred for the provision of services to ~~illegal~~ unauthorized aliens for specified fiscal years; requiring the Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health~~requiring the agency and the department~~ to collect such information and provide it annually by a specified date in a report to the President of the Senate, the Speaker of the House, and Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; ~~creating s. 909.04, F.S.; requiring the executive director of the Department of Law Enforcement to conduct regular~~

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FL-GOV-22-0226, 20-0378-A-002060

~~audits of companies doing business in this state to ensure compliance with specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment;~~ providing for severability; providing an effective date.~~providing an effective date.~~

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of enforcing ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to,

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any documentation required under paragraph (b):

1. The Department of Law Enforcement.

2. The Attorney General.

3. The state attorney.

4. The statewide prosecutor.

5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section ~~908.101~~787.07, Florida Statutes, is amended to read:

The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state. Further, the Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of Florida attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in Florida, the Legislature finds that the state has a compelling interest not to aid, assist, or facilitate the transportation or harboring of unauthorized aliens in Florida who have come to, entered, or remain in the United States in violation of law.

~~787.07 Human smuggling.~~

~~(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third~~

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~~degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) A person commits a separate offense for each individual he or she transports into this state in violation of~~ subsection ~~(1) this section.~~

~~(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state.~~

~~Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the carrier is found to be providing such services during the contract period.~~

~~(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.~~

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law

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enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, or pursuant to s. 908.110; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; or

(f) Providing information to any state entity on the immigration status of a person in the custody of the law enforcement agency.~~(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.~~

Section 4. Subsection (8) of section 908.102, Florida Statutes, is created to read:~~Section 908.11, Florida Statutes, is created to read:~~

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

Section 5. Section 908.110, Florida Statutes, is created to

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read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

~~(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.~~

~~(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(2)(a) Each county sheriff shall determine ~~make a determination of~~ the immigration status of each arrestee at the time of booking in county jail. Unless the arrestee can provide government-issued documentation showing proof of citizenship or

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lawful immigration status, the county sheriff shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c) to make such determination.~~, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(~~3~~b) ~~-~~Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102(2), Florida Statutes, has been issued.

(3) Each clerk of the circuit court shall determine~~make a determination of~~ the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.~~ for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(4) Beginning no later than~~By~~ January 1, 2023, the data collected under subsections (2~~1~~) and, (3)~~2), and (3)~~ shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include the type of offense(s), including whether the offense(s) is a felony or misdemeanor; the county where offender was arrested or tried; the sex of offender; and whether the offender is an adult or minor.~~must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website, and must include all of the following:~~

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FL-GOV-22-0226, 20-0378-A-002066

~~(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.~~

~~(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.~~

Section 6. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.-

A government entity as defined in s. 163.035(1), F.S., may not execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided since the effective date of this act, any service in furtherance of transporting an unauthorized alien into the State of Florida knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law.

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Section 7. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory Damages for Transporting or Harboring Unauthorized Aliens -

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined in s. 605.0102(23)(a), F.S., that —

(a) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such unauthorized alien within the State of Florida, or into the State of Florida, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the State of Florida, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) shall —

(i) pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity;

(ii) not be eligible for five years to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any government entity as defined in s. 163.035(1), F.S.; and

(iii) not be eligible for five years to receive or renew any license, certification, or credential issued by any

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government entity as defined in s. 163.035(1), F.S.

(3) Payments of statutory damages shall be deposited into the General Revenue Fund.

(4) Beginning July 1, 2022, and every two years thereafter, the Department of Economic Opportunity, with the assistance of all Executive agencies, Cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the cost of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on these aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), F.S., final agency action subject to judicial review under s. 120.68, F.S., or a decision under s. 120.569, F.S., which affect the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

(7) The Attorney General shall publish the name of any

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FL-GOV-22-0226, 20-0378-A-002069

entity found to be liable under this section and the date of the judgement on a public website.

Section 8. ~~Section 5.~~ Chapter 909, Florida Statutes, consisting of sections 909.01-909.03~~04~~, is created to read:

~~and entitled~~ Chapter 909

"Public Benefits for ~~Illegal~~ Unauthorized Aliens."

~~Section 6. Section 909.01, Florida Statutes, is created to read:~~

909.01 Definitions.— As used in this chapter, the term:

(1) "Benefits" means any payment or service funded by tax or fee revenue, or any license, certification, or credential, provided by the state. ~~"Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.~~

~~(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.~~

~~(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).~~

(2) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

~~Section 7. Section 909.02, Florida Statutes, is created to read:~~

909.02 Prohibition of benefits.—

(1) No ~~An~~ agency, as defined in s. 120.52, F.S. shall ~~may not~~ provide any benefit~~s~~ to an unauthorized ~~illegal~~ alien,

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FL-GOV-22-0226, 20-0378-A-002070

except as otherwise expressly authorized or required ~~clearly required~~ by federal or state law or except where necessary to prevent ~~imminent~~ serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) ~~Such~~ All ~~A~~a~~a~~gencies as defined in s. 120.52, F.S., shall use any applicable and available federal ~~rules~~ authorities or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~,~~ ~~based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(3) Each agency, as defined in s. 120.52, F.S., shall adopt rules to implement this section. ~~Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.~~

~~Section 8. Section 909.03, Florida Statutes, is created to read:~~

909.03 Collection of information on ~~health care~~ services provided to ~~illegal~~ unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration, ~~in coordination with~~ the Department of Children and Families, the Agency for Persons with Disabilities, the

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FL-GOV-22-0226, 20-0378-A-002071

Department of Corrections, the Department of Education, and ~~and~~ the Department of Health, in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens. ~~shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.~~

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration shall require~~, consistent with federal and state law,~~ managed care plans and hospitals to report any expenditures incurred for the provision of services to ~~illegal~~ unauthorized aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any programs.~~, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, t~~This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall provide a report of the requested information in subsections (1) and (2) to the

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President of the Senate, the Speaker of the House of Representatives, and the Governor by September 1 of each year for the previous fiscal year. ~~The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.~~

~~(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.~~

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on their websites.

(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section. ~~The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.~~

~~Section 9. Section 909.04, Florida Statutes, is created to read:~~

~~909.04 Audits of Employers.—~~

~~(1) The executive director of the Department of Law~~

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~~Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.~~

~~(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).~~

~~(3) The Department of Law Enforcement shall adopt rules to implement this section.~~

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~~Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:~~

~~1009.21 Determination of resident status for tuition purposes.~~ ~~Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.~~

~~(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a school district, and charter technical career centers, shall require each student to document his or her immigration status~~

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~~by providing a birth certificate, proof of residency, or other acceptable identification upon enrollment in school.~~

~~(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.~~

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10~~1~~. This act shall take effect upon becoming a law.~~ July 1, 2022.~~

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FL-GOV-22-0226, 20-0378-A-002075

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Shays, Tonya
Subject: RE: Immigration
Date: Tuesday, January 4, 2022 2:33:36 PM

82889 is the immigration bill
83258 is the Trust fund bill

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:30 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE: Immigration

You have a house draft number for the immigration bill and/or the TF language? – that way Senate drafting can speak to House drafting, etc… will save time.
Thanks

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:22 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Immigration

Attached are the changes….also see attached trust fund bill…. The draft number is 83258 (Illegal Immigration Compensation Trust Fund

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: RE: Immigration
Date: Tuesday, January 4, 2022 4:29:41 PM
Attachments: 5-01386-22 Immigration - track changes - 1-4-22.docx

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Here are the edits for the immigration bill

From: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:36 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: RE: Immigration

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From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 2:34 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Subject: RE: Immigration

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5-01386-22

A bill to be entitled

An act relating to immigration; amending s. 448.095, F.S.; adding the Department of Economic Opportunity to the list of persons or entities authorized to request copies of documentation relied upon to verify a person's employment eligibility; amending s. 908.101, F.S.; providing legislative intent; ~~for the enforcement of specified provisions; amending s. 787.07, F.S.; prohibiting governmental entities from executing or renewing contracts with common carriers or contracted carriers under specified circumstances; providing a required contractual provision in contracts with such carriers after a specified date; specifying that certain entities are ineligible to receive benefits under specified circumstances;~~ amending s. 908.102, F.S.; amending sanctuary policy to include a refusal to cooperate or share information; amending s. 908.102, F.S.; defining unauthorized alien; creating s. 908.110, F.S.; requiring determination of immigration status during criminal proceedings; creating s. 908.111, F.S.; prohibiting an entity from contracting with a governmental entity if the entity knowingly transports unauthorized aliens; creating s. 908.112, F.S.; providing for statutory damages and other consequences for transporting or harboring unauthorized aliens; requiring the Department of Economic Opportunity to estimate the number of unauthorized aliens in Florida and the costs to the state per unauthorized alien;

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establishing a hotline for receiving reports alleging potential liability; creating s. 908.112, F.S.; providing for payments of statutory damages; ~~revising the definition of the term "sanctuary policy";~~ ~~creating s. 908.11, F.S.; requiring that certain law enforcement agencies enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in a specified program;~~ ~~requiring such law enforcement agencies to adopt an agreement by a specified date; providing requirements on law enforcement agencies operating a county jail;~~ ~~providing requirements on county sheriffs and clerks of the circuit court; requiring, by a specified date, the quarterly reporting by such entities of specified data to the Department of Law Enforcement; requiring the department to post the data on its website;~~ creating ch. 909, F.S., entitled "Public Benefits for ~~Illegal~~ Unauthorized Aliens"; creating s. 909.01, F.S.; defining terms; creating s. 909.02, F.S.; prohibiting specified agencies from providing benefits to an ~~illegal~~ unauthorized alien; providing exceptions; requiring such agencies to use applicable and available federal rules or programs to confirm the eligibility, based on immigration status, of specified persons before providing benefits; ~~prohibiting illegal aliens from receiving educational scholarships, fee waivers, or financial assistance from a public postsecondary educational institution; creating s. 909.03, F.S.;~~ requiring ~~the Agency for Health Care~~

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~~Administration and the Department of Health~~the Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health, in coordination with County Health Departments ~~-~~to use all means available to determine the amount of funds expended on the provision of certain services under their respective agency programs to ~~illegal~~ unauthorized aliens for specified fiscal years; requiring the ~~agency~~ Agency for Healthcare Administration to require managed care plans and hospitals to report any expenditures incurred for the provision of services to ~~illegal~~ unauthorized aliens for specified fiscal years; requiring the Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health~~requiring the agency and the department~~ to collect such information and provide it annually by a specified date in a report to the President of the Senate, the Speaker of the House, and Executive Office of the Governor; requiring the agency and the department to make such information publicly available on their respective websites; requiring the agency and the department to adopt rules; ~~creating s. 909.04, F.S.; requiring the executive director of the Department of Law Enforcement to conduct regular~~

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~~audits of companies doing business in this state to ensure compliance with specified provisions; requiring the executive director to notify the Department of Economic Opportunity of specified violations; requiring the Department of Economic Opportunity to take appropriate action; requiring the Department of Law Enforcement to adopt rules; amending s. 1009.21, F.S.; requiring that public postsecondary educational institutions require each student to document his or her immigration status upon enrollment; requiring the State Board of Education, the Board of Governors, district school boards with a career center, and the boards of directors of charter technical career centers to establish and enforce policies to collect the immigration status from each student upon enrollment;~~ providing for severability; providing an effective date.~~providing an effective date.~~

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (3) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(3) PRIVATE EMPLOYERS.—

(e) For the purpose of enforcing ~~enforcement of~~ this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person's employment eligibility, including, but not limited to,

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any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.
5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person's employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

Section 2. Section ~~908.101~~787.07, Florida Statutes, is amended to read:

The Legislature finds that it is an important state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within this state. Further, the Legislature has a compelling interest in knowing, to the greatest extent practicable, the full scope of the costs to the people of Florida attributable to illegal immigration in the state. In light of these costs, and to deter further illegal immigration in Florida, the Legislature finds that the state has a compelling interest not to aid, assist, or facilitate the transportation or harboring of unauthorized aliens in Florida who have come to, entered, or remain in the United States in violation of law.

~~787.07 Human smuggling.~~

~~(1) A person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third~~

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~~degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(2) A person commits a separate offense for each individual he or she transports into this state in violation of~~ subsection ~~(1) this section.~~

~~(3) A governmental entity as defined in s. 163.035 may not execute or renew a contract with a common carrier as defined in 379.101 or a contracted carrier engaged in the transportation of passengers if the carrier knowingly provides any service, under contract or by any other means, for the purpose of transporting an illegal alien as defined in s. 909.01 into this state.~~

~~Effective July 1, 2022, any contract between the state and such a common carrier or a contracted carrier must include a provision for the termination of the contract for cause if the carrier is found to be providing such services during the contract period.~~

~~(4) An entity as defined in s. 605.0102(23) is ineligible to receive benefits as defined in s. 909.01 and may not bid on, submit a proposal for, or enter into or renew a contract with a governmental entity as defined in s. 163.035 or any special district if it knowingly provides transportation, housing, or any other service to an illegal alien as defined in s. 909.01, unless otherwise required to do so by law.~~

Section 3. Subsection (6) of section 908.102, Florida Statutes, is amended to read:

908.102 Definitions.—As used in this chapter, the term:

(6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law

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enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(a) Complying with an immigration detainer;

(b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;

(c) Providing a federal immigration agency access to an inmate for interview;

(d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, or pursuant to s. 908.110; ~~or~~

(e) Providing a federal immigration agency with an inmate's incarceration status or release date; or

(f) Providing information to any state entity on the immigration status of a person in the custody of the law enforcement agency.~~(f) Receiving any information related to an investigation determining the immigration status of a suspected illegal alien as defined in s. 909.01.~~

Section 4. Subsection (8) of section 908.102, Florida Statutes, is created to read:~~Section 908.11, Florida Statutes, is created to read:~~

(8) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

Section 5. Section 908.110, Florida Statutes, is created to

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read:

908.11 Immigration identification and reporting.—

(1) Each law enforcement agency in this state which operates a county jail shall enter into a formal written agreement with United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357(g). Such law enforcement agencies must adopt an agreement, regardless of the participation model, by January 1, 2023. Beginning no later than October 1, 2022, and until such time that the law enforcement agency has entered the agreement required by this subsection, each law enforcement agency operating a county jail must notify the Department of Law Enforcement quarterly of the status of such agreement or the reasons for noncompliance with this subsection.

~~(a) By October 1, 2022, each law enforcement agency operating a county jail shall notify the Department of Law Enforcement of the status of implementing such an agreement or the reasons for noncompliance with this section.~~

~~(b) Law enforcement agencies operating a county jail shall use such partnerships established in the agreement to determine the immigration status of felony offenders at the time of arrest booking, unless such offender can provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(2)(a) Each county sheriff shall determine ~~make a determination of~~ the immigration status of each arrestee at the time of booking in county jail. Unless the arrestee can provide government-issued documentation showing proof of citizenship or

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lawful immigration status, the county sheriff shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such arrestee, as authorized in 8 U.S.C. s. 1373(c) to make such determination.~~, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(~~3~~b) ~~-~~Each county sheriff shall maintain information on the number of persons in custody for whom an immigration detainer, as defined in s. 908.102(2), Florida Statutes, has been issued.

(3) Each clerk of the circuit court shall determine~~make a determination of~~ the immigration status of each criminal defendant at the time of sentencing. Unless the defendant can provide government-issued documentation showing proof of citizenship or lawful immigration status, the clerk shall inquire with the U.S. Department of Homeland Security as to the citizenship or immigration status of such defendant, as authorized in 8 U.S.C. s. 1226(d)(3) and 8 U.S.C. s. 1373(c), to make such determination.~~ for any inmate in this state, as authorized in 8 U.S.C. s. 1226(d)(3).~~

(4) Beginning no later than~~By~~ January 1, 2023, the data collected under subsections (2~~1~~) and, (3)~~2), and (3)~~ shall be reported to the Department of Law Enforcement quarterly, and must be published by the department on a public website. The information must include the type of offense(s), including whether the offense(s) is a felony or misdemeanor; the county where offender was arrested or tried; the sex of offender; and whether the offender is an adult or minor.~~must be reported quarterly by the respective entities to the Department of Law Enforcement, must be published by the department on its website, and must include all of the following:~~

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~~(a) The number of felony offenders held on an immigration detainer pursuant to s. 908.102(2), sorted by sex and county, specifying the number that were younger than 18 years of age.~~

~~(b) The number of felony offenders on an immigration detainer pursuant to s. 908.102(2), sorted by felony offense. If more than one felony offense was committed, the primary or most severe offense must be reported, followed by all other offenses committed.~~

Section 6. Section 908.111, Florida Statutes, is created to read:

908.111 Contracts.-

A government entity as defined in s. 163.035(1), F.S., may not execute or renew a contract with a common carrier, as defined in 379.101(7), F.S., or a contracted carrier, engaged in the transportation of passengers, if the carrier is found to be providing, or has provided since the effective date of this act, any service in furtherance of transporting an unauthorized alien into the State of Florida knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, or a contracted carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an unauthorized alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the unauthorized alien has come to, entered, or remains in the United States in violation of law.

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Section 7. Section 908.112, Florida Statutes, is created to read:

908.112 Statutory Damages for Transporting or Harboring Unauthorized Aliens -

(1) The Attorney General may bring a civil action in any court of competent jurisdiction against any entity, as defined in s. 605.0102(23)(a), F.S., that —

(a) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such unauthorized alien within the State of Florida, or into the State of Florida, by means of transportation or otherwise, in furtherance of such violation of law; or

(b) knowing or in reckless disregard of the fact that an unauthorized alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such unauthorized alien in any place in the State of Florida, including any building or any means of transportation.

(2) Any entity found liable under subsection (1) shall —

(i) pay statutory damages for each unauthorized alien in an amount determined by the Department of Economic Opportunity;

(ii) not be eligible for five years to execute or renew any contract, including any grant agreements or economic incentive program payment agreements, with any government entity as defined in s. 163.035(1), F.S.; and

(iii) not be eligible for five years to receive or renew any license, certification, or credential issued by any

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government entity as defined in s. 163.035(1), F.S.

(3) Payments of statutory damages shall be deposited into the General Revenue Fund.

(4) Beginning July 1, 2022, and every two years thereafter, the Department of Economic Opportunity, with the assistance of all Executive agencies, Cabinet agencies, and the Office of the State Courts Administrator, shall estimate the number of unauthorized aliens in the state and the total costs attributable to such aliens, including the cost of education, health care, welfare and social services, law enforcement, corrections, and state courts. Based on these aggregate estimates, the department shall estimate and publish the average cost of each unauthorized alien in the state, which shall constitute the amount of statutory damages per unauthorized alien. This estimate shall not be considered a rule as defined in s. 120.52(16), F.S., final agency action subject to judicial review under s. 120.68, F.S., or a decision under s. 120.569, F.S., which affect the substantial interests of a party.

(5) The Attorney General shall investigate and initiate civil actions under this section. The Attorney General may administer oaths and affirmations, subpoena witnesses or matter, and collect evidence, to the extent possible, to conduct such investigations and initiate civil actions.

(6) The Attorney General shall establish a hotline for receiving reports alleging potential liability under this section. Such reports may be submitted anonymously, and the Attorney General may not decline to investigate solely because of an anonymous report.

(7) The Attorney General shall publish the name of any

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entity found to be liable under this section and the date of the judgement on a public website.

Section 8. ~~Section 5.~~ Chapter 909, Florida Statutes, consisting of sections 909.01-909.03~~04~~, is created to read:

~~and entitled~~ Chapter 909

"Public Benefits for ~~Illegal~~ Unauthorized Aliens."

~~Section 6. Section 909.01, Florida Statutes, is created to read:~~

909.01 Definitions.— As used in this chapter, the term:

(1) "Benefits" means any payment or service funded by tax or fee revenue, or any license, certification, or credential, provided by the state. ~~"Benefits" means any resource, payment, fund, service, or other thing of value provided by the state.~~

~~(2) "Illegal alien" means an alien as defined in 8 U.S.C. s. 1101(a)(3) who is present in the United States and does not have a lawful immigration status under the immigration laws of the United States.~~

~~(3) "Unaccompanied alien child" means an alien child as defined in 6 U.S.C. s. 279(g)(2).~~

(2) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

~~Section 7. Section 909.02, Florida Statutes, is created to read:~~

909.02 Prohibition of benefits.—

(1) No ~~An~~ agency, as defined in s. 120.52, F.S. shall ~~may not~~ provide any benefit~~s~~ to an unauthorized ~~illegal~~ alien,

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except as otherwise expressly authorized or required ~~clearly required~~ by federal or state law or except where necessary to prevent ~~imminent~~ serious bodily injury or the loss of life or to prevent, investigate, or prosecute criminal activity.

(2) ~~Such~~ All ~~A~~a~~a~~gencies as defined in s. 120.52, F.S., shall use any applicable and available federal ~~rules~~ authorities or programs, such as the United States Citizenship and Immigration Services' Systematic Alien Verification for Entitlements Program, known as SAVE, to confirm eligibility for a state benefit under subsection (1) before providing such benefit to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~,~~ ~~based on immigration status, before providing benefits to any person who cannot provide government-issued documentation showing proof of citizenship or lawful immigration status.~~

(3) Each agency, as defined in s. 120.52, F.S., shall adopt rules to implement this section. ~~Unless otherwise expressly provided in law, an illegal alien may not receive educational scholarships, fee waivers, or financial assistance as provided in chapter 1009 from a public postsecondary educational institution.~~

~~Section 8. Section 909.03, Florida Statutes, is created to read:~~

909.03 Collection of information on ~~health care~~ services provided to ~~illegal~~ unauthorized aliens.—

(1) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration, ~~in coordination with~~ the Department of Children and Families, the Agency for Persons with Disabilities, the

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FL-GOV-22-0226, 20-0378-A-002093

Department of Corrections, the Department of Education, and ~~and~~ the Department of Health, in coordination with county health departments, shall make reasonable efforts, within existing resources and using all information available to the agencies to determine the amount of state and local funds expended on the provision of services under their agency programs for unauthorized aliens. ~~shall use all means available to determine the amount of state and local funds expended on the provision of services under their respective agency programs, including, but not limited to, for health care and emergency care of illegal aliens in this state for fiscal year 2022-23 and for each fiscal year thereafter.~~

(2) Beginning with the 2022-2023 fiscal year, and each fiscal year thereafter, t~~T~~he Agency for Health Care Administration shall require~~, consistent with federal and state law,~~ managed care plans and hospitals to report any expenditures incurred for the provision of services to ~~illegal~~ unauthorized aliens, including, but not limited to, any programs in which the state participates with federal agencies or collects and remits intergovernmental transfers for the purpose of local governments participating with federal agencies in any programs.~~, for fiscal year 2022-23 and for each fiscal year thereafter. Where possible, t~~This information should distinguish between federal, state, and local funds.

(3)(a) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall provide a report of the requested information in subsections (1) and (2) to the

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FL-GOV-22-0226, 20-0378-A-002094

President of the Senate, the Speaker of the House of Representatives, and the Governor by September 1 of each year for the previous fiscal year. ~~The Agency for Health Care Administration and the Department of Health shall collect the information required under subsections (1) and (2) and provide it annually by September 1 in a report to the Executive Office of the Governor.~~

~~(b) The Agency for Health Care Administration and the Department of Health shall make the information under subsections (1) and (2) publicly available on their respective websites.~~

(b) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall make the information requested in subsections (1) and (2) available to the public on their websites.

(4) The Agency for Health Care Administration, the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Corrections, the Department of Education, and the Department of Health shall adopt rules to implement this section. ~~The Agency for Health Care Administration and the Department of Health shall adopt rules to implement this section.~~

~~Section 9. Section 909.04, Florida Statutes, is created to read:~~

~~909.04 Audits of Employers.—~~

~~(1) The executive director of the Department of Law~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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FL-GOV-22-0226, 20-0378-A-002095

~~Enforcement, in consultation with the Attorney General, shall conduct regular audits of companies doing business in this state, consistent with available appropriations, to ensure compliance with s. 448.095(3), requiring private employers to verify the employment eligibility of new employees.~~

~~(2) The executive director of the Department of Law Enforcement shall notify the Department of Economic Opportunity of any violation of s. 448.095(3) within 30 days after such violation is discovered, and the Department of Economic Opportunity shall take appropriate action under s. 448.095(3)(f).~~

~~(3) The Department of Law Enforcement shall adopt rules to implement this section.~~

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~~Section 10. Present subsection (13) of section 1009.21, Florida Statutes, is redesignated as subsection (14), and a new subsection (13) is added to that section, to read:~~

~~1009.21 Determination of resident status for tuition purposes.~~ ~~Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.~~

~~(13)(a) Each public postsecondary educational institution, including the Florida College System institutions, the State University System institutions, career centers operated by a school district, and charter technical career centers, shall require each student to document his or her immigration status~~

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FL-GOV-22-0226, 20-0378-A-002096

~~by providing a birth certificate, proof of residency, or other acceptable identification upon enrollment in school.~~

~~(b) The State Board of Education, the Board of Governors, district school boards with a career center, and the board of directors of a charter technical career center shall establish and enforce policies to collect the immigration status from each student upon enrollment in school.~~

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.

Section 10~~1~~. This act shall take effect upon becoming a law.~~ July 1, 2022.~~

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FL-GOV-22-0226, 20-0378-A-002097

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Cc: Burdette,Brenda
Subject: RE: small change in 5-01423-22
Date: Monday, January 3, 2022 9:05:05 PM

Tonya,
Sorry you already send revised one.
Stephanie

From: Kopelousos, Stephanie
Sent: Monday, January 3, 2022 8:51 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: small change in 5-01423-22

we make a small change in the attached draft

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	RE: small change in 5-01423-22
Date:	Monday, January 3, 2022 9:05:05 PM

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From: Kopelousos, Stephanie
To: "Shays, Tonya"
Cc: Burdette,Brenda
Subject: RE: small change in 5-01423-22
Date: Monday, January 3, 2022 9:05:12 PM

Tonya,
Sorry you already send revised one.
Stephanie

From: Kopelousos, Stephanie
Sent: Monday, January 3, 2022 8:51 PM
To: Shays, Tonya <SHAYS.TONYA@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
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To:	Shays, Tonya
Subject:	Response on Property Tax Abatement bill 5-01385-22
Date:	Monday, January 3, 2022 5:54:07 PM
Attachments:	Property Tax Abatement - SS comments.docx

I replied to the comments in the document

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01385-22

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.319, F.S.; defining terms; providing for the abatement of ad valorem taxes for residential improvements destroyed following certain events; providing procedures and requirements for filing applications for the abatement; specifying requirements for property appraisers and tax collectors; providing construction; providing retroactive applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.319, Florida Statutes, is created to read:

197.319 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36.

(b) "Disaster relief credit" means the product arrived at by multiplying the percent change in value by the amount of timely paid taxes initially levied in the year in which the destruction occurred.

(c) "Percent change in value" means the difference between

Commented [SS1]: Requester: Because the definition of "damage differential" is the same as "percent change in value", I have deleted it and replaced the phrase with "percent change in value" throughout.

Commented [KS2R1]: Ok with change

Commented [SS3]: Requester: I could not find the phrase "dangerously unstable" used in the executive orders issued by the Governor. If this phrase was used in a document issued by the Governor or other entity, this definition should be rephrased to refer to that document.

This has been revised to reflect EO 21-148.

Regardless of which document is cited, the language needs to clearly refer to what is intended.

Commented [KS4R3]: Ok with change

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(e) "Residential improvement" means a multistory residential building comprised of at least 50 dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building recognized as having experienced a major structural collapse by an executive order issued by the Governor pursuant to s. 252.36 during the 2021 calendar year, taxes initially levied in 2021 must be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application must identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

Commented [SS5]: Requester: Please see comment above

Commented [KS6R5]: ok

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002103

(c) The application must be verified under oath and is subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002104

section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

Commented [SS7]: Requester: since this applies to taxes already paid, it needs this retroactive application clause.

Commented [KS8R7]: yes

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AMERICAN OVERSIGHT

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To: Shays, Tonya
Subject: Response on Property Tax Abatement bill 5-01385-22
Date: Monday, January 3, 2022 5:54:07 PM
Attachments: Property Tax Abatement - SS comments.docx

I replied to the comments in the document

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01385-22

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AMERICAN OVERSIGHT

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(d) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

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FL-GOV-22-0226, 20-0378-A-002108

(c) The application must be verified under oath and is subject to penalty of perjury.

(d) Upon receipt of the application, the property appraiser must investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser must issue an official written statement to the tax collector by June 1, 2022, which provides:

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2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the percent change in value and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002109

section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that occurred pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

(6) This section applies retroactively to January 1, 2021.

Section 2. This act shall take effect upon becoming a law.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002110

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov

Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments

Date: Monday, January 24, 2022 10:54:32 PM

Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

Apologies for the late email, but today, the Biden Administration (through the FDA),

AMERICAN OVERSIGHT

announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

AMERICAN OVERSIGHT

January 24, 2022

MONOCLONAL ANTIBODY SITES STATEWIDE WILL BE CLOSED AFTER FDA REMOVES TREATMENT AUTHORIZATION

Contact:
Communications Office
NewsMedia@flhealth.gov
(850) 245-4111

Tallahassee, Fla. — This evening, without any advanced notice, the U.S. Food and Drug Administration (FDA) revised the Emergency Use Authorizations (EUA) for bamlanivimab/etesevimab and REGEN-COV. The revised EUAs do not allow providers to administer these treatments within the United States.

Unfortunately, as a result of this abrupt decision made by the federal government, all monoclonal antibody state sites will be closed until further notice.

Individuals with appointments have been directly contacted regarding cancellations. If you have tested positive for COVID-19, please contact your health care provider for more information and resources on treatment options. Resources for emerging treatments can be found at www.HealthierYouFL.org. Pharmacies that have received allocations of anti-viral treatments can be found at www.FloridaHealthCOVID-19.gov.

Florida disagrees with the decision that blocks access to any available treatments in the absence of clinical evidence. To date, such clinical evidence has not been provided by the United States Food and Drug Administration (FDA).

As stated in one of the pre-print studies cited on the NIH website, "despite observing differences in neutralizing activity with certain mAbs, it remains to be determined how this finding translates into effects on clinical protection against B.1.1.529."

For more information on why this decision was made, please contact the FDA at 1-888-463-6332.

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About the Florida Department of Health

The department, nationally accredited by the Public Health Accreditation Board, works to protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

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From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"
Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments
Date: Monday, January 24, 2022 10:54:32 PM
Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

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Apologies for the late email, but today, the Biden Administration (through the FDA), announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

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About the Florida Department of Health

The department, nationally accredited by the Public Health Accreditation Board, works to protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

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Follow us on Facebook, Instagram, and Twitter at @HealthyFla. For more information about the Florida Department of Health please visit www.FloridaHealth.gov.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	gilley.janice@flsenate.gov
Subject:	Tomorrow
Date:	Monday, February 14, 2022 1:28:54 PM

Press Conference – VISIT FLORIDA
Tuesday, February 15, 2022, 2:00 p.m. – 2:45 p.m. (CT)
Gulfarium Marine Adventure Park, 1010 Miracle Strip Parkway, SE, Fort Walton Beach, FL 32548

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From: Kopelousos, Stephanie
To: "gilley.janice@flsenate.gov"
Subject: Tomorrow
Date: Monday, February 14, 2022 1:28:54 PM

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From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: Updated HigherEd Draft....5-01233-22
Date: Thursday, January 6, 2022 6:09:02 PM
Attachments: UPDATED S Feedback - Draft 01233 Higher Ed Combined - 1.6.22 (ABAK).docx

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Sorry this is the last update

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5-01233-22

A bill to be entitled

An act relating to higher education; amending s. 1001.03, F.S.; providing that a Florida College System institution that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; creating s. 1001.644, F.S.; requiring the State Board of Education to develop and annually deliver a training program for its members and each Florida College System institution board of trustees; providing the purposes of the training; requiring each member of the State Board of Education and each member of a Florida College System institution board of trustees to participate in the training program within a specified timeframe; requiring specified content to be included in the training; authorizing the State Board of Education to adopt rules; amending s. 1001.71, F.S.; requiring public notice and agendas for state university boards of trustees meetings to be published in a specified manner; amending s. 1001.706, F.S.; deleting authorization for state university boards of trustees to adopt rules or regulations under certain circumstances; requiring the Board of Governors and state universities to publish notices of the proposed adoption, amendment, or repeal of regulations in a specified manner; making technical changes; requiring the Board of Governors to ensure that state university students have access to certain civic literacy courses

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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and assessments; revising Board of Governors procedures for review and approval of certain programs; revising requirements for certain training the Board of Governors must develop and deliver; authorizing the Board of Governors to transfer certain unused appropriations if authorized by a specific appropriation in the General Appropriations Act; requiring the Chancellor of the State University System to immediately notify and regularly apprise the Governor and the Legislature if the Board of Governors determines that a state university president or board of trustees is under investigation regarding certain allegations; revising the Board of Governors' powers and duties relating to personnel; revising the Board of Governors' powers and duties relating to property; providing that a state university that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; making technical changes; creating s. 1001.725, F.S.; specifying requirements for university boards of trustees and university presidents relating to selection and reappointment of certain personnel; requiring each university president to annually present to his or her board of trustees the results of performance evaluations and associated salaries for certain personnel; amending s. 1004.03, F.S.; requiring the State Board of Education and the Board of Governors to establish, for the Florida College System and the State University System,

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respectively, a schedule for the regular review of postsecondary educational programs; specifying requirements for the reviews; providing for the usage of review results; requiring the State University System and Florida College System, to the extent possible, to coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration; amending s. 1004.04, F.S.; requiring the Commissioner of Education to conduct an audit of state-approved teacher preparation programs, processes, and systems; providing the purposes of the audit; specifying audit requirements; requiring the Commissioner of Education to submit to the Governor and the State Board of Education audit findings and recommendations at specified intervals; amending s. 1004.085, F.S.; requiring the Chancellor of the Florida College System and the Chancellor of the State University System, as applicable, to provide a summary of the information from institutions certifying their compliance with certain public posting requirements; amending s. 1007.24, F.S.; requiring the Commissioner of Education to recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses; revising the maintenance requirements of the statewide course numbering system; requiring certain postsecondary educational institutions to accept and apply general education

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courses and credit in a specified manner; requiring the State Board of Education to adopt rules; specifying requirements for the rules; amending s. 1007.25, F.S.; requiring faculty committees to submit reviews and recommendations on general education core courses to the Articulation Coordinating Committee and the Commissioner of Education at specified intervals; requiring public postsecondary students, beginning with a certain academic year, to complete certain courses as part of general education core course requirements; requiring all public postsecondary educational institutions to accept certain courses; creating s. 1007.55, F.S.; providing legislative findings; providing principles that specified entities must apply when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses; requiring students initially entering a public postsecondary educational institution in a specified school year to complete at least one core course in specified subject areas as part of general education core course requirements; specifying standards for core courses; requiring that, to the greatest extent possible, certain civic literacy courses be available as core courses in each of the general education subject areas; providing standards to be considered in the approval of a course as a general education course; requiring all public postsecondary educational institutions to offer all

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approved general education core courses; requiring general education courses to be accepted as such, in the same subject area, by all public postsecondary educational institutions; providing that public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, the general education course and general education core course requirements at their respective institutions; prohibiting public postsecondary educational institutions that fail to comply with certain requirements from receiving performance-based funding; amending s. 1008.32, F.S.; requiring the Commissioner of Education to consider any response to allegations of noncompliance received by the commissioner; granting the state board the authority to require that certain entities comply with specified requirements; amending s. 1008.322, F.S.; requiring the Chancellor of the State University System to consider any response to allegations of noncompliance received by the chancellor; granting the Board of Governors the authority to require that a university comply with specified requirements; creating s. 1008.325, F.S.; providing legislative intent; requiring the State Board of Education and the Board of Governors to determine each Florida College System institution's and each state university's eligibility, respectively, to receive performance-based funding; requiring the Chancellor of the Florida College System and the

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Chancellor of the State University System to publicly report to their respective state boards each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations; requiring the State Board of Education and the Board of Governors to report quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to state laws, rules, and regulations; requiring the State Board of Education or the Board of Governors, as applicable, to seek a remedy for any public postsecondary educational institution that is not in compliance; requiring the State Board of Education or the Board of Governors, as applicable, to withhold performance-based funding from a public postsecondary educational institution that is unable or unwilling to comply with applicable state laws, rules, or regulations; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.45, F.S.; revising the requirements of the Florida College System institution accountability process; amending s. 1008.46, F.S.; requiring the Board of Governors to address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees to address within its annual evaluation of its university president, the extent of system and institutional compliance with statutory and regulatory requirements

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of law, respectively; amending ss. 1009.23 and 1009.24, F.S.; prohibiting boards of trustees of Florida College System institutions and state universities, respectively, from increasing specified student fees after a specified date; providing that Florida College System institutions and state universities, respectively, may increase certain fees by a specified amount under certain conditions after a specified date; providing exceptions; requiring certain boards of trustees to report to the Chancellor of the State University system the total amount of revenue generated by certain fees by a specified date; requiring the Chancellors of the Florida College System and the State University System, respectively, to submit to the Governor and the Legislature a report concerning revenue generated by certain fees; specifying requirements for the report; requiring Florida College System institutions and state universities, respectively, to post specified information relating to tuition and fee rates and proposed changes to such rates on their websites and in a press release e-mailed to enrolled students; requiring each Florida College System institution and each state university to annually submit a fee schedule to the State Board of Education and the Board of Governors, respectively, for approval by a date established by State Board of Governors rule or Board of Governors regulation, respectively; requiring submission of an amended fee schedule under certain

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circumstances; amending s. 1011.81, F.S.; requiring the State Board of Education to collaborate with the Board of Governors in creating a template for use by Florida College System Institutions in creating an annual report on revenue sources; requiring that the report detail specified information; requiring Florida College System institutions to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the State Board of Education's website; revising the limitations imposed on the use of certain funds by Florida College System institutions; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.90, F.S.; requiring the Board of Governors to collaborate with the State Board of Education in creating a template for use by state universities in creating an annual report on revenue sources; requiring that the reports detail specified information; requiring state universities to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the Board of Governors' website; revising the limitations imposed on the use of certain funds by state universities; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.91, F.S.; authorizing the Chancellor of the State University System to monitor and

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periodically review university expenditures; amending s. 1012.80, F.S.; requiring policies adopted by Florida College System institutions and state universities to be adopted in accordance with State Board of Education rule and Board of Governors regulation, respectively; requiring such policies to include discretionary penalties for participation in disruptive activities at public postsecondary educational institutions; authorizing the State Board of Education or the Board of Governors, as applicable, to apply authorized sanctions after formal investigation has established that an employee of a public postsecondary educational institution has participated in disruptive activities; requiring the State Board of Education and the Board of Governors to jointly develop and codify in rule and regulation the term "disruptive activities"; amending ss. 1012.886 and 1012.976, F.S.; requiring the State Board of Education and the Board of Governors, respectively, to report to the Governor and the Legislature each public postsecondary educational institution's compliance with certain provisions by a specified date each year; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

~~Section 1. Paragraph (d) is added to subsection (19) of section 1001.03, Florida Statutes, to read:~~

~~1001.03 Specific powers of State Board of Education.—~~

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~~(19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.~~

~~(d) A Florida College System institution that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~2~~1. Section 1001.644, Florida Statutes, is created to read:

1001.644 Florida College System ~~institution~~ governing boards ~~of trustees~~; training.—The State Board of Education shall develop and annually deliver a training program for its members and each Florida College System institution board of trustees which addresses the role and responsibilities of such boards and their executive leadership in overseeing the Florida College System and its institutional resources and in protecting the public interest.

(1) Each member of the State Board of Education, Chancellor of the Florida College System, and each member of a Florida College System institution's board of trustees shall participate in the training program within 1 year after appointment or reappointment. All members of the State Board of Education, institution's board of trustees, and the Chancellor of the Florida College System must complete the same training to provide a comprehensive overview of the Florida College System, including roles and responsibilities of each institution's board of trustees, State Board of Education and Chancellor of the Florida College System.

(2) The training must include information on the responsibilities of the ~~Governor and~~ individual members of the

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State Board of Education, Florida College System institution board of trustees, and Florida College System institution executive leadership relating to all of the following:

(a) Meeting applicable statutory, regulatory, and fiduciary requirements.

(b) Establishing internal controls and accountability mechanisms for the Chancellor of the Florida College System, a Florida College System institution's president, and other administrative officials.

(c) Practicing oversight of a Florida College System institution's planning, construction, maintenance, expansion, and renovation projects.

(d) Establishing policies that promote college affordability, including ensuring that the costs of fees, textbooks, and instructional materials are minimized whenever possible.

(e) Creating and implementing systemwide rules and policies.

(f) Maintaining ethical standards and avoiding conflicts of interest.

(g) Implementing best practices for board governance.

(h) Understanding current national and state issues in higher education and in workforce education.

(i) Incorporating any additional board responsibilities that the State Board of Education finds to be necessary or appropriate.

(j) Providing a comprehensive review of the faculty and executive leadership hiring processes.

(3) The State Board of Education may adopt rules to

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implement this section.

Section ~~32~~. Subsection (5) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(5) Public notice of board meetings and agendas for each meeting must be published prominently on the university's home page of its website and timely published in the Florida Administrative Register. Each university board of trustees shall keep and, within 2 weeks after a board meeting, publish ~~post~~ prominently on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.

Section ~~43~~. Paragraphs (b) and (c) of subsection (2), paragraphs (a) through (h) and (j) of subsection (3), subsection (4), paragraphs (f) and (g) of subsection (5), paragraphs (a) and (c) of subsection (6), and subsections (7), (8), and (11) of section 1001.706, Florida Statutes, are amended, and paragraph (d) is added to subsection (13) of that section, to read:

1001.706 Powers and duties of the Board of Governors.—

(2) REGULATORY AUTHORITY.—

(b) The Board of Governors shall be subject to the provisions of chapter 120 when acting pursuant to statutory authority derived from the Legislature, except that the Board of Governors may adopt regulations if expressly authorized or required by law. Such regulations must be adopted pursuant to a development procedure that complies with paragraph (c). ~~If the Board of Governors delegates a power or duty to a university board of trustees as the designee, the authority to adopt rules~~

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~~or regulations is included in the delegation. If the Board of Governors delegates a statutory power or duty to a university board of trustees, the university board of trustees shall be subject to the provisions of chapter 120 but may adopt regulations to the same extent as the Board of Governors under this subsection.~~

(c) The development procedure for regulations authorized or required by law must provide for notice to the public of, and an opportunity for public comment on, the proposed adoption, amendment, or repeal of a regulation; a process for a substantially affected person to challenge a statement of general applicability that has not been properly adopted as a regulation; a process for a substantially affected person to challenge an unlawful regulation; and a process for the adoption of and challenges to emergency regulations that are necessary to protect the public interest in the emergency. Judicial review shall be sought in the appellate district in which the headquarters of the Board of Governors is located or in which the main campus of the state university is located, as applicable. The regulation development procedure shall be published prominently on the websites of the Board of Governors and the state universities. Public notice of the Board of Governors' and the state universities' proposed adoption, amendment, or repeal of any regulation must be published prominently on the home page of the websites of the Board of Governors and the state universities and timely published in the Florida Administrative Register.

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

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(a) The Board of Governors~~, or the board's designee,~~ shall adopt regulations ~~develop guidelines~~ and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ relating to divisions of sponsored research, pursuant to the provisions of s. 1004.22, to serve the function of administration and promotion of the programs of research.

(c) The Board of Governors shall adopt regulations prescribing ~~prescribe~~ conditions for direct-support organizations and university health services support organizations to be certified and to use university property and services. Conditions relating to certification must provide for audit review and oversight by the Board of Governors.

(d) The Board of Governors shall adopt regulations ~~develop guidelines~~ for supervising faculty practice plans for the academic health science centers.

(e) The Board of Governors shall ensure that students at state universities have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23, and civic literacy courses and assessments, pursuant to s. 1007.25.

(f) The Board of Governors shall do all of the following:

1. Establish criteria for the review and approval of proposed new programs at state universities in accordance with s. 1004.03(1).

2. Approve baccalaureate degree programs that require more than 120 semester credit hours of coursework prior to such

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programs being offered by a state university. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

3. Establish a schedule, conduct program reviews, and consider recommendations resulting from the reviews conducted in accordance with s. 1004.03(3).

(g) The Board of Governors~~, or the board's designee,~~ shall adopt a written antihazing policy, appropriate penalties for violations of such policy, and a program for enforcing such policy.

(h) The Board of Governors shall review and approve each state university's~~, or the board's designee, may establish a~~ uniform code of conduct and ~~appropriate~~ penalties for violations of its regulations by students and student organizations, including regulations governing student academic honesty. Such penalties, unless otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with regulations or payment of fines, and the imposition of probation, suspension, or dismissal.

(j) The Board of Governors shall develop and annually deliver a training program for members of the Board of Governors and each state university board of trustees which ~~that~~ addresses the role and responsibilities of such boards and their executive leadership in governing institutional resources and protecting the public interest. At a minimum, each governor and trustee must participate in the training program within 1 year after ~~of~~ appointment or and reappointment to the Board of Governors or a university board of trustees, respectively. The Chancellor of

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the State University System must also participate in the Board of Governors' training program. All members of the Board of Governors, institution's board of trustees, and the Chancellor of the State University System must complete the same training to provide a comprehensive overview of the State University System, including roles and responsibilities of each institution's board of trustees, Board of Governors and Chancellor of the State University System. The program must include information on governor, trustee, and executive leadership responsibilities relating to all of the following:

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.

2. Establishing internal process controls and accountability mechanisms for the institution’s president and other administrative officers.

3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university’s consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.

4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.

5. Creation and implementation of institutionwide rules and regulations.

6. Institutional ethics and conflicts of interest.

7. Best practices for board governance.

8. Understanding current national and state issues in

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higher education.

9. Any other responsibilities the Board of Governors deems necessary or appropriate.

10. A comprehensive review of faculty and executive leadership hiring processes.

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(a) The Board of Governors~~, or the board's designee,~~ shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the constituent universities to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy requirements, guidelines, formats, and instruction for the development of individual university budget requests.

(c) The Board of Governors~~, or the board's designee,~~ shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26, unless otherwise provided in law. Pursuant to subsection (e) of s. 7, Art. IX of the State Constitution, any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university, if approval by the

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board of trustees is required by general law, and at least twelve affirmative votes of the members of the board of governors, if approval by the board of governors is required by general law, in order to take effect.

(d) The Board of Governors~~, or the board's designee,~~ is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.

(e) The Board of Governors, if authorized by a specific appropriation in the General Appropriations Act, may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund, pursuant to s. 1011.4106(2), between institutions.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(f) If the Board of Governors of the State University System determines that a state university president or board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations. In such cases, the Chancellor of the State University System must immediately notify and regularly apprise the Governor, the President of the Senate, and the Speaker of the House of Representatives of the allegations and the status of the investigation.

(g) The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a), subject to the development procedure for regulations established under paragraph (~~2~~4)(c). If not currently authorized, the Board of Governors may request

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authority from the Legislature to waive or modify specific statutory requirements, including percentages and dollar amount limitations in s. 1009.24, in order to reduce barriers and support the attainment of goals identified in institutional plans, as necessary for advancing system priorities and unique institutional priorities. Regulatory flexibilities authorized and statutory flexibilities authorized or requested by the Board of Governors pursuant to this paragraph must be included in the accountability plan prepared and submitted pursuant to paragraph (c).

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors~~, or the board's designee,~~ shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

(c)1. Except as otherwise provided by law, university employees are public employees for purposes of chapter 112, and any payment for travel and per diem expenses may ~~shall~~ not exceed the level specified in s. 112.061.

2. State university administrative employees are subject to the remuneration requirements of s. 1012.976, as annually confirmed compliant by each university president.

(7) POWERS AND DUTIES RELATING TO PROPERTY.—

(a) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for

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the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority provided ~~the board of trustees~~ in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.

(c) The Board of Governors~~, or the board's designee,~~ shall

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administer a program for the maintenance and construction of facilities pursuant to chapter 1013.

(d) The Board of Governors~~, or the board's designee,~~ shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 are not ~~shall not be~~ subject to s. 287.09451.

(e) Notwithstanding ~~the provisions of~~ s. 253.025 but subject to ~~the provisions of~~ s. 1010.62, the Board of Governors~~, or the board's designee,~~ may, with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.

1. The Board of Governors~~, or the board's designee,~~ may secure appraisals and surveys. The Board of Governors~~, or the board's designee,~~ shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the Board of Governors~~, or the board's designee,~~ finds it necessary for timely property acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. The Board of Governors~~, or the board's designee,~~ may negotiate and enter into an option contract before an appraisal

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is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the Board of Governors~~, or the board's designee,~~ or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the Board of Governors ~~or the board's designee~~.

3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(f) The Board of Governors~~, or the board's designee,~~ shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(g) The Board of Governors~~, or the board's designee,~~ shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(h) Notwithstanding ~~the provisions of~~ s. 216.351, the Board of Governors~~, or the board's designee,~~ may authorize the rent or lease of parking facilities provided that such facilities are funded through parking fees or parking fines imposed by a university. The Board of Governors~~, or the board's designee,~~ may authorize a university board of trustees to charge fees for parking at such rented or leased parking facilities.

(8) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND

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REQUIREMENTS.—The Board of Governors has responsibility for complying with, and overseeing and ensuring the compliance of each state university president and board of trustees with, state and federal laws, rules, regulations, and requirements.

(11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of Governors may revoke or modify the scope of any power or duty it has delegated through regulatory action.

~~(13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—~~

~~(d) A state university that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~5~~4. Section 1001.725, Florida Statutes, is created to read:

1001.725 University boards of trustees; personnel.—

(1) Each university board of trustees is responsible for hiring faculty. The president may provide hiring recommendations to the board; however, the president or the board is not bound by recommendations or opinions of faculty or other individuals or groups. The board may delegate its hiring authority to the president; however, the board shall approve or deny any selection by the president.

(2) Each university board of trustees shall confirm its president's selection and reappointment of the university's executive management team members and their respective contracts and annual salaries, in accordance with the university's personnel program established by the Board of Governors. Contracts and responsibilities of the president and executive team members, including, but not limited to, provost positions, must explicitly delineate that the duties of positions, other

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than the president, are limited to administrative oversight and operational supervision of curricular, instructional, and research affairs, as applicable to the position.

(3) Each university president shall annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of $100,000 or more.

Section 56. Subsection (3) is added to section 1004.03, Florida Statutes, to read:

1004.03 Program approval.—

(3) The State Board of Education and the Board of Governors shall establish, for the Florida College System and the State University System, respectively, a schedule for the regular review and evaluation of nondegree, certificate, nondegree certificate, associate degree, baccalaureate degree, and graduate degree academic programs to determine program adequacy, compliance, and performance. The schedule established must require such review to occur at least once every 3 years.

(a) Reviews conducted pursuant to this section, at a minimum, must determine program alignment and compliance with program subject area and course content, program length, general education requirements, and common prerequisite requirements established by faculty committees pursuant to ss. 1007.24, 1007.25, and 1007.55; confirm authorized and reasonable course and program fees; and affirm satisfactory attainment of student enrollment and student performance outputs and outcomes.

(b) The results of program reviews conducted pursuant to this section must be used to inform the respective system chancellor's recommendation to the Commissioner of Education,

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the State Board of Education, and the Board of Governors, as applicable, regarding program continuation, corrective action, or termination. Each chancellor shall consult with the respective institution presidents regarding the results of the reviews before recommending actions. The chancellor shall solicit the input of the Articulation Coordinating Committee when recommended actions raise multijurisdictional program conflicts, in accordance with ss. 1007.25 and 1007.55.

(c) To the extent possible, the State University System and the Florida College System shall coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration.

Section ~~76~~. Present subsection (6) of section 1004.04, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(6) STATEWIDE TEACHER PREPARATION PROGRAM AUDIT.—The Commissioner of Education shall conduct an audit of state-approved teacher preparation programs, processes, and systems to determine their performance and identify opportunities for improvement. The audit applies to programs approved pursuant to this section, postsecondary educator preparation institutes approved pursuant to s. 1004.85, and professional development certification and education competency programs approved pursuant to s. 1012.56(8).

(a) The audit must include, but is not limited to:

1. An analysis of the programs to identify their performance in meeting the demands of the state's public

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schools.

2. An analysis of the programs to determine their impact on the production of quality teachers.

3. An analysis of the programs' accountability systems to identify programmatic strengths, weaknesses, and opportunities for improvement.

4. An evaluation of the initial and continued program approval processes, including a review of content and curriculum to ensure compliance with law and state board rules.

(b) The commissioner shall, by December 1, 2022, and by December 1 every 5 years thereafter, submit to the Governor and to the State Board of Education audit findings and recommendations, including, at minimum, recommendations regarding new or improved standards, curriculum, process, and accountability requirements.

Section ~~8~~7. Subsection (7) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not able to meet the textbook and instructional materials posting

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deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions, including certification of compliance from each institution with the public posting requirements of this section, to the State Board of Education and the Board of Governors, as applicable.

Section ~~98~~. Present subsection (8) of section 1007.24, Florida Statutes, is redesignated as subsection (9) and amended, a new subsection (8) is added to that section, and subsections (3), (4), and (5) of that section are amended, to read:

1007.24 Statewide course numbering system.—

(3) The Commissioner of Education shall recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses. The State Board of Education, with input from the Board of Governors, shall approve the general education courses and the levels for the courses.

(4) The statewide course numbering system must be maintained electronically and regularly updated by the department and ~~shall~~ include the courses at the recommended levels, statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

(5) The registration process at each state university and Florida College System institution shall include the courses at their designated levels, ~~and~~ statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

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(8) Participating postsecondary educational institutions receiving transfer course credit shall accept and apply general education courses and credit in accordance with this section, ss. 1007.25 and 1007.55, and other provisions of law, including credit earned through dual enrollment, course equivalencies, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

(9)~~(8)~~ The State Board of Education shall adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty committee reviews and recommendations. At a minimum, the rules must address all of the following:

(a) Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course information.

(b) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, titles, designated levels, credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

(c) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency, civic literacy, or other course types, pursuant to ss. 1007.25

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and 1007.55, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

(d) Purges of courses that are listed in the statewide course numbering system but have not been taught at an institution for the preceding 5 years. These rules must include waiver provisions that allow course continuation if an institution has reasonable cause for having not offered a course within the 5-year limit and an expectation that the course will be offered again within the following 5 years.

Section ~~10~~9. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee for approval by~~and~~ the commissioner ~~for approval~~and the Chancellor of the State University System ~~identify~~ statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by December 1, 2022, and by December 1 every 3 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of s. 1007.55 and this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of

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communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised~~, or the five-course maximum within each subject area may be exceeded,~~ if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area, in accordance with s. 1007.55.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course, consistent with the principles, standards, and content requirements established in s. 1007.55.

(c) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded. Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements, in accordance with s. 1007.55(3).

(d) All public postsecondary educational institutions shall accept these courses as meeting general education core course

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requirements, regardless of whether the receiving institution offers the identical general education core course. The remaining general education course requirements shall be identified by each institution from among the authorized courses listed in the statewide course numbering system and reported to the department by their statewide course number.

(e) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section ~~11~~10. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote democratic values through traditional, historically accurate, and high-quality coursework. Courses with a curriculum based on unproven, theoretical, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

(2) In performing their duties under ss. 1007.24 and 1007.25, the State Board of Education, Board of Governors, Commissioner of Education, Articulation Coordinating Committee, and faculty committees, when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses, shall apply the following principles:

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(a) General education courses must promote the philosophical underpinnings of Western civilization and include studies of this nation's historical documents, such as the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(b) General education courses must ~~may~~ not suppress or distort significant historical events or include a curriculum that teaches identity politics, such as Critical Race Theory, or defines American history as contrary to the creation of a new nation based on universal principles stated in the Declaration of Independence.

(3) Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements.

(a) General education core courses must meet the following standards:

1. Communications courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking, through the engagement with the Western literary tradition.

2. Humanities courses must afford students the ability to think critically through mastering propositional logic and analyzing ethical arguments from classical works on logic, rhetoric, and ethics.

3. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific

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method to explain natural experiences and phenomena.

4. Social science courses must afford students an understanding of the basic principles of government of the American republic and conditions for the success of self-rule, including an understanding of basic behavioral science concepts used in society~~sociology~~.

5. Mathematics courses must afford students a mastery of foundational mathematical and computational models and methods by applying such models and methods in problem solving.

(b) To the greatest extent possible, civic literacy courses established pursuant to s. 1007.25(5) must be available as core courses in each of the general education subject areas.

(4) To be considered for approval as a general education course, a course must be offered by at least half of all public postsecondary educational institutions. All public postsecondary educational institutions must offer all approved general education core courses. If a course is approved as a general education course, that course must be accepted as a general education course, in the same subject area, by all public postsecondary educational institutions.

(5) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course and general education core course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25, at their respective institutions. Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to s. 1008.325.

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Section ~~1~~211. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 1008.32, Florida Statutes, are amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. ~~The commissioner shall consider any response to allegations of noncompliance which the commissioner receives.~~ The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

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(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(b) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule, including, but not limited to, complying with the requirements of s. 1008.325.

Section 12~~3~~. Paragraph (a) of subsection (3) and paragraph (a) of subsection (5) of section 1008.322, Florida Statutes, are amended to read:

1008.322 Board of Governors oversight enforcement authority.—

(3)(a) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. ~~The chancellor shall consider any response to allegations of noncompliance which the chancellor receives.~~ The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

(5) If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:

(a) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation, including, but not limited to, complying with the requirements of s. 1008.325.

Section ~~14~~13. Effective July 1, 2022, section 1008.325, Florida Statutes, is created to read:

1008.325 Public postsecondary educational institution funding eligibility conditioned on compliance with law.—

(1) The Legislature intends that the eligibility of public postsecondary educational institutions to receive discretionary state funding be contingent upon the receiving institution's compliance with applicable state laws, rules, and regulations, as determined by the State Board of Education and the Board of Governors, as applicable.

(2) The State Board of Education shall determine each Florida College System institution's eligibility to receive performance-based funding pursuant to ss. 1001.66 and 1001.67 and as prescribed in the General Appropriations Act, and other performance-based funding distributed by the state board, based on the institution's compliance with applicable state laws and rules.

(3) The Board of Governors shall determine each state university's eligibility to receive performance-based funding pursuant to ss. 1001.7065, 1001.92, and 1011.905, and other performance-based funding distributed by the board, based on the university's compliance with applicable state laws and regulations.

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(4) The Chancellor of the Florida College System and the Chancellor of the State University System shall publicly report to the State Board of Education and the Board of Governors, respectively, each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations.

(5) The State Board of Education and the Board of Governors shall ~~report~~ assure quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to applicable state laws, rules, and regulations. If a public postsecondary educational institution is not in compliance, the State Board of Education or the Board of Governors, as applicable, must seek a remedy to the noncompliance pursuant to s. 1008.32 or s. 1008.322.

(6) If a public postsecondary educational institution fails to comply with applicable state laws, rules, or regulations and is unwilling or unable to remedy its noncompliance, then the State Board of Education and the Board of Governors, respectively, must withhold the institution's performance-based funding until the institution returns to compliance.

(7) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to implement this section.

Section ~~15~~14. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

(3) The State Board of Education shall address within the

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annual evaluation of the performance of the Chancellor of the Florida College System ~~executive director~~, and the Florida College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability process and the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~16~~15. Present subsection (2) of section 1008.46, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of

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teaching, research, and service inherent in the missions of the state universities.

(2) The Board of Governors shall address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees shall address within its annual evaluation of its university president, the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~17~~16. Subsection (7), paragraph (a) of subsection (8), subsection (10), paragraph (a) of subsection (11), paragraph (a) of subsection (12), subsection (15), paragraph (b) of subsection (16), subsection (17), paragraph (a) of subsection (18), and subsection (20) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(7) Each Florida College System institution board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee must ~~shall~~ be collected as a component part of the tuition and fees. The student activity and service fees must ~~shall~~ be paid into a student activity and service fund at the Florida College System institution and must ~~shall~~ be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the Florida College System institution without regard to race, sex, or religion. A ~~No~~ Florida College System institution may not ~~shall~~ be required to

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lower any activity and service fee approved by the board of trustees of the Florida College System institution and in effect prior to October 26, 2007, in order to comply with ~~the provisions of~~ this subsection. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a student activity and service fee established pursuant to this subsection.

(8)(a) Each Florida College System institution board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each Florida College System institution board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than $500,000. If the amount generated is less than $500,000, a Florida College System institution that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between $500,000 and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a financial aid fee established pursuant to this paragraph.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not

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exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee must ~~shall~~ be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this subsection.

(11)(a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed 20 percent of tuition for resident students or 20 percent of the sum of tuition and out-of-state fees for nonresident students. ~~The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ Funds collected by Florida College System institutions through the fee may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, remodeling of educational facilities, or the acquisition and renovation or remodeling of improved real property for use as educational facilities. The fee must ~~shall~~ be collected as a component part of the tuition and fees, paid

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into a separate account, and expended only to acquire improved real property or construct and equip, maintain, improve, or enhance the educational facilities of the Florida College System institution. Projects and acquisitions of improved real property funded through the use of the capital improvement fee must ~~shall~~ meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each Florida College System institution shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this paragraph.

(12)(a) In addition to tuition, out-of-state, financial aid, capital improvement, student activity and service, and technology fees authorized in this section, each Florida College System institution board of trustees is authorized to establish fee schedules for the following user fees and fines: laboratory fees, which do not apply to a distance learning course; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or microfilming fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines may ~~shall~~ not exceed the cost of the services provided and may ~~shall~~ only be charged to persons receiving the service. A Florida College System institution may not charge any fee except as authorized by law. Parking fee revenues may be pledged by a Florida College System institution

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board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, with an overall term of not more than 7 years, including renewals, extensions, and refundings, and revenue bonds with a term not exceeding 20 years and not exceeding the useful life of the asset being financed. Florida College System institutions shall use the services of the Division of Bond Finance of the State Board of Administration to issue any revenue bonds authorized by this subsection. Any such bonds issued by the Division of Bond Finance must ~~shall~~ be in compliance with the provisions of the State Bond Act. Bonds issued pursuant to the State Bond Act may be validated in the manner established in chapter 75. The complaint for such validation must ~~shall~~ be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 must ~~shall~~ be published only in the county where the complaint is filed, and the complaint and order of the circuit court must ~~shall~~ be served only on the state attorney of the circuit in which the action is pending. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a fee established pursuant to this paragraph by more than 3 percent. Beginning with the 2023-2024 academic year, a fee established pursuant to this paragraph may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the Florida College System institution has made every effort, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by a Florida College System institution under this paragraph may not exceed

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the cost of the service provided.

(15) Each Florida College System institution may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of the convenience fee may not exceed the total cost charged by the credit card company to the Florida College System institution. Such service charge or convenience fee must be approved by the Florida College System institution board of trustees. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a service charge established pursuant to this subsection.

(16)

(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a distance learning course user fee established under this subsection by more than 3 percent of the amount assessed the prior year. By each September 1 ~~of each year~~, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended. By November 1 of each year, the Chancellor of the Florida College System shall report the total amount of revenue generated by the distance

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learning course user fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(17) Each Florida College System institution that accepts transient students, pursuant to s. 1006.73, may establish a transient student fee not to exceed $5 per course for processing the transient student admissions application. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a transient student fee established pursuant to this subsection.

(18)(a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed $6 per credit hour. ~~An increase in the transportation access fee may occur only once each fiscal year and must be implemented beginning with the fall term.~~ A referendum must be held by the student government to approve the application of the fee. Beginning July 1, 2022, the Board of Trustees of Santa Fe College may not increase the transportation access fee established pursuant to this paragraph.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the Florida College System institution's home page of its website in an area that is transparent and easily accessible, as applicable. Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its

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consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.

3.~~(c)~~ Be posted on the institution's website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each Florida College System institution shall annually submit a fee schedule to the State Board of Education for its approval by a date established by state board rule. A Florida College System institution must submit for approval by the state board by a date established by state board rule an amended fee schedule when a fee is changed pursuant to paragraph (12)(a).

Section ~~18~~17. Paragraph (d) of subsection (4) and subsections (7) through (17) and (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or in the General Appropriations Act. A ~~No~~ university may not ~~shall~~ be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and

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athletic fees more than 5 percent per year unless specifically authorized in law or in the General Appropriations Act. Beginning July 1, 2022, a university may not increase its athletic fee ~~to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection (12) and may not exceed $2 per credit hour. Notwithstanding ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection which causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university may exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase may not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees may not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee~~

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~~committee pursuant to subsection (10), subsection (11), or subsection (12)~~.

(7) A university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. Beginning July 1, 2022, a university board of trustees may not increase a financial aid fee established pursuant to this subsection. The revenues from fees are to remain at each campus and replace existing financial aid fees. Such funds must ~~shall~~ be disbursed to students as quickly as possible. A minimum of 75 percent of funds from the student financial aid fee must ~~shall~~ be used to provide financial aid based on absolute need. The Board of Governors shall develop criteria for making financial aid awards. Each university shall report annually to the Board of Governors and the Department of Education on the revenue collected pursuant to this subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report must ~~shall~~ include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards ~~which are~~ based on financial need must ~~shall~~ be distributed in accordance with a nationally recognized system of need analysis approved by the Board of Governors. An award for academic merit must ~~shall~~ require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(8)~~(a)~~ The Capital Improvement Trust Fund fee is established as $4.76 per credit hour per semester.

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~~(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee. Any increase in the fee must be recommended by a Capital Improvement Trust Fund committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors shall adopt regulations and timetables to implement the fee.~~

~~(c)~~ The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The ~~fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ The Capital Improvement Trust Fund fee may be used to fund any project or real property acquisition that meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. Beginning July 1, 2022, a university board of trustees may not increase the fee established pursuant to this subsection ~~The Board of Governors shall approve any proposed fee reductions provided~~

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~~that no such reduction reduces the fee below the level established in paragraph (a)~~.

(9) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees. Beginning July 1, 2022, a university board of trustees may not increase a service, health, or athletic fee established pursuant to this subsection. When duly established, the fees must ~~shall~~ be collected as component parts of tuition and fees and must ~~shall~~ be retained by the university and paid into the separate activity and service, health, and athletic funds. Notwithstanding any other ~~provision of~~ law to the contrary, a university may transfer revenues derived from the fees authorized pursuant to this subsection to a university direct-support organization of the university to be used only for the purpose of paying and securing debt on projects approved pursuant to s. 1010.62 and pursuant to a written agreement approved by the Board of Governors. The amount transferred may not exceed the amount authorized for annual debt service pursuant to s. 1010.62.

(10)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase a student activity and service fee established pursuant to this paragraph ~~Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall~~

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~~be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the activity and service fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(b) The student activity and service fees must ~~fees shall~~ be expended for lawful purposes to benefit the student body in general. This includes ~~shall include~~, but is ~~shall~~ not ~~be~~ limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fund shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when submitted by the student government association legislative body. The university president has ~~shall have~~ 15 school days after ~~from~~ the date of presentation of the budget to act on the allocation and expenditure recommendations, which are ~~shall be~~ deemed approved if no action is taken within the 15 school days. If any line

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item or portion thereof within the budget is vetoed, the student government association legislative body must ~~shall~~ within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year must ~~shall~~ be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase ~~Any subsequent increase in~~ the health fee established pursuant to this subsection ~~must be recommended by a health committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the fall~~

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~~term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase an ~~Any subsequent increase in the~~ athletic fee established pursuant to this subsection ~~must be recommended by an athletic fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the athletic fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. Beginning July 1, 2022, a university board of trustees may not increase a technology fee established pursuant to this subsection. The revenue from this fee must ~~shall~~ be used to enhance instructional technology resources for students and

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faculty.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(a) A nonrefundable application fee in an amount not to exceed $30.

(b) An orientation fee in an amount not to exceed $35.

(c) A fee for security, access, or identification cards. The annual fee for such a card may not exceed $10 per card. The maximum amount charged for a replacement card may not exceed $15.

(d) Registration fees for audit and zero-hours registration; a service charge, which may not exceed $15, for the payment of tuition and fees in installments; and a late-registration fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to initiate registration during the regular registration period.

(e) A late-payment fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to pay or fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) tuition by the deadline set by each university. Each university may adopt specific procedures or policies for waiving the late-payment fee for minor underpayments.

(f) Fees for transcripts and diploma replacement, not to exceed $10 per item.

(g) A nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed $200. The admissions deposit shall be imposed at the time

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of an applicant's acceptance to the university and shall be applied toward tuition upon enrollment. If the applicant does not enroll in the university, the admissions deposit must ~~shall~~ be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. The Board of Governors shall adopt a policy that provides for the waiver of such admissions deposit on the basis of financial hardship.

(h) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under subsection (11).

(i) Materials and supplies fees to offset the cost of materials or supplies that are consumed in the course of the student's instructional activities, excluding the cost of equipment replacement, repairs, and maintenance.

(j) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student.

(k) A charge representing the reasonable cost of efforts to collect payment of overdue accounts.

(l) A service charge on university loans in lieu of interest and administrative handling charges.

(m) A fee for off-campus course offerings when the location results in specific, identifiable increased costs to the university.

(n) Library fees and fines, including charges for damaged and lost library materials, overdue reserve library books, interlibrary loans, and literature searches.

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(o) Fees relating to duplicating, photocopying, binding, and microfilming; copyright services; and standardized testing. These fees may be charged only to those who receive the services.

(p) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.

(q) A returned-check fee as authorized by s. 832.07(1) for unpaid checks returned to the university.

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of this chapter, as specifically authorized by law or the General Appropriations Act.

(s) An Educational Research Center for Child Development fee for child care and services offered by the center.

(t) A transient student fee that may not exceed $5 per course for accepting a transient student and processing the transient student admissions application pursuant to s. 1006.73.

Beginning July 1, 2023, a university board of trustees may not increase any fee established pursuant to this subsection by more than 3 percent. Beginning with the 2023-2024 academic year, a fee may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by an institution under this subsection may not exceed the cost of the

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service provided ~~With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services~~. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(15)(a) The Board of Governors may approve~~:~~

~~1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.~~

~~2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).~~

~~3.~~ a proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university's continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses must ~~shall~~ be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must ~~shall~~ be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

(b) A proposal developed pursuant to paragraph (a) must

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~~shall~~ be submitted in accordance with guidelines established by the Board of Governors. Approval by the Board of Governors of such proposal must be made in accordance with ~~the provisions of~~ this subsection.

(c) ~~In reviewing a proposal to establish a new fee under subparagraph (a)1., the Board of Governors shall consider:~~

~~1. The purpose to be served or accomplished by the new fee.~~

~~2. Whether there is a demonstrable student-based need for the new fee that is not currently being met through existing university services, operations, or another fee.~~

~~3. Whether the financial impact on students is warranted in light of other charges assessed to students for tuition and associated fees.~~

~~4. Whether any restrictions, limitations, or conditions should be placed on the use of the fee.~~

~~5. Whether there are outcome measures to indicate if the purpose for which the fee was established is accomplished.~~

~~(d) In reviewing a proposal to increase or exceed the current cap for an existing fee under subparagraph (a)2., the Board of Governors shall consider:~~

~~1. The services or operations currently being funded by the fee.~~

~~2. Whether those services or operations can be performed more efficiently to alleviate the need for any increase.~~

~~3. The additional or enhanced services or operations to be funded by the increase.~~

~~4. Whether any alternative resources are available to meet the need.~~

~~5. Whether the financial impact on students is warranted in~~

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~~light of other charges assessed to students for tuition and associated fees.~~

(c) ~~(e)~~ In reviewing a proposal to implement a flexible tuition policy under paragraph (a) ~~subparagraph (a)3.~~, the Board of Governors shall consider:

1. Whether the proposed tuition flexibility policy is aligned with the mission of the university.

2. Whether the proposed tuition flexibility policy increases the state's fiscal liabilities or obligations and, if so, the proposal must ~~shall~~ be denied.

3. Whether any restrictions, limitations, or conditions should be placed on the policy.

4. How the proposed tuition flexibility policy will be implemented to honor the advance payment contracts of students who are beneficiaries of prepaid tuition contracts under s. 1009.98.

(d) ~~(f)~~ The Board of Governors shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, and the Governor summarizing the proposals received by the board during the preceding year and actions taken by the board in response to such proposals. ~~The Board of Governors shall also include in the annual report the following information for each fee established pursuant to subparagraph (a)1.:~~

~~1. The amount of the fee.~~

~~2. The total revenues generated by the fee.~~

~~3. Detailed expenditures of the revenues generated by the fee.~~

~~(g) The aggregate sum of any fees established pursuant to~~

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~~subparagraph (a)1. that a student is required to pay to register for a course shall not exceed 10 percent of tuition.~~

~~(h) Any fee established pursuant to subparagraph (a)1. shall not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.~~

~~(i) The revenues generated by a fee established pursuant to subparagraph (a)1. may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used for the purpose of paying or securing debt.~~

~~(j) If the Board of Governors approves a university proposal to establish a fee pursuant to subparagraph (a)1., a fee committee shall be established at the university to make recommendations to the university president and the university board of trustees regarding how the revenue from the fee is to be spent and any subsequent changes to the fee. At least one-half of the committee must be students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie.~~

~~(k) An increase to an existing fee or a fee established pursuant to subparagraph (a)1. may occur no more than once each fiscal year and must be implemented beginning with the fall term.~~

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment

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of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential must ~~shall~~ promote improvements in the quality of undergraduate education and must ~~shall~~ provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential must ~~shall~~ be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. Except as otherwise provided in this subsection, the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, must ~~shall~~ be expended to provide financial aid to undergraduate students who exhibit financial need, including students who are scholarship recipients under s. 1009.984, to meet the cost of university attendance. This expenditure for need-based financial aid may ~~shall~~ not supplant the amount of need-based aid provided to undergraduate students in the preceding fiscal year from financial aid fee revenues, the direct appropriation for

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financial assistance provided to state universities in the General Appropriations Act, or from private sources. The total amount of tuition differential waived under subparagraph (b)6. ~~(b)7.~~ may be included in calculating the expenditures for need-based financial aid to undergraduate students required by this subsection. If the entire tuition and fee costs of resident students who have applied for and received Pell Grant funds have been met and the university has excess funds remaining from the 30 percent of the revenues from the tuition differential required to be used to assist students who exhibit financial need, the university may expend the excess portion in the same manner as required for the other 70 percent of the tuition differential revenues.

(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, by campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. ~~For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the~~

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~~preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:~~

~~a. An increase in the 4-year graduation rate for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System.~~

~~b. An increase in the total annual research expenditures.~~

~~c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.~~

~~4.~~ The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.

4.~~5.~~ Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

5.~~6.~~ The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

6.~~7.~~ The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida Public Student Assistance Grant Program established in s. 1009.50.

7.~~8.~~ Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may

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take effect with the 2009 fall term.

(c) A university board of trustees may submit a proposal to the Board of Governors to implement a tuition differential for one or more undergraduate courses. At a minimum, the proposal must ~~shall~~:

1. Identify the course or courses for which the tuition differential will be assessed.

2. Indicate the amount that will be assessed for each tuition differential proposed.

3. Indicate the purpose of the tuition differential.

4. Indicate how the revenues from the tuition differential will be used.

5. Indicate how the university will monitor the success of the tuition differential in achieving the purpose for which the tuition differential is being assessed.

(d) The Board of Governors shall review each proposal and advise the university board of trustees of approval of the proposal, the need for additional information or revision to the proposal, or denial of the proposal. The Board of Governors shall establish a process for any university to revise a proposal or appeal a decision of the board.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of ~~the provisions of~~ this subsection no later than February 1 of each year. The report must ~~shall~~ summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report must ~~shall~~ provide the following information for each university

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~~that has been~~ approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.

2. The total revenues generated by the tuition differential.

3. With respect to waivers authorized under subparagraph (b)6. ~~(b)7.~~, the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.

4. Detailed expenditures of the revenues generated by the tuition differential.

5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty, student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

(f) No state university shall be required to lower any tuition differential that was approved by the Board of Governors and in effect prior to January 1, 2009, in order to comply with ~~the provisions of~~ this subsection.

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.73, a per-credit-hour distance learning course fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of

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technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs. Beginning July 1, 2023, a university board of trustees may not increase the distance learning course fee authorized under this subsection by more than 3 percent of the amount assessed the prior year; however, the total collected by an institution from such fee may not exceed the cost of the service provided by that institution. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost.

1. By September 1 of each year, each board of trustees shall report to the Chancellor of the State University System the total amount of revenue generated for the prior fiscal year by the fee authorized by this subsection and how that revenue was expended.

2. By November 1 of each year, the Chancellor of the State University System shall report the total amount of revenue generated by the distance learning course fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) If an institution assesses the distance learning fee,

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the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the university's home page on its website in a location that is transparent and easily accessable. Each state university shall publicly notice and notify all enrolled students of any proposal to change tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed change, and how the funds from the proposed change will be used.

3.~~(c)~~ Be published ~~posted~~ on the university's home page on its website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each university shall annually submit a fee schedule to the Board of Governors for approval by the board by a date established by board regulation. When a fee is changed pursuant to paragraph (17)(b), a university must submit an amended fee schedule for approval by the board by a date established by board regulation.

Section ~~19~~18. Subsections (1) and (3) of section 1011.81, Florida Statutes, are amended to read:

1011.81 Florida College System Program Fund.—

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(1)(a) There is established a Florida College System Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the Florida College System institution districts of the state on the basis of procedures established by law and rules of the State Board of Education. The annual apportionment for each Florida College System institution district shall be distributed monthly in payments as nearly equal as possible.

(b) The State Board of Education shall collaborate with the Board of Governors to create a template, which must include fiscal definitions and all sources of revenue, for use by each Florida College System institution in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the institution, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.70(1), during the prior year. Each Florida College System institution shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the State Board of Education's website.

(3) None of the funds made available in the Florida College System Program Fund, or funds made available to Florida College System institutions outside the Florida College System Program Fund, may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to, or involving, any of the following:

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(a) Travel to a terrorist state. For purposes of this paragraph, the term ~~section,~~ "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.32 and State Board of Education rule.

Section ~~20~~19. Subsections (4) and (6) of section 1011.90, Florida Statutes, are amended to read:

1011.90 State university funding.—

(4)(a) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request. Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the

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standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

(b) The Board of Governors shall collaborate with the State Board of Education in creating a template, which must include fiscal definitions and all sources of revenue, for use by each state university in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the state university, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.28(1), during the prior year. Each state university shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the Board of Governors' website.

(6) None of the state or nonstate funds made available to state universities may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of,

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activities related to or involving any of the following:

(a) Travel to a terrorist state. For purposes of this section, the term "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.322 and Board of Governors regulation.

Section ~~21~~20. Subsection (1) of section 1011.91, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1011.91 Additional appropriation.—

(1) Except as otherwise provided in the General Appropriations Act, all moneys received by universities, from student fees authorized in s. 1009.24, from federal sources, from private sources, and from vending machine collections, are hereby appropriated to the use of the respective universities collecting same, to be expended as the university board of trustees may approve ~~direct~~; however, the funds may ~~shall~~ not be expended except in pursuance of detailed budgets approved by ~~filed with~~ the Board of Governors and may ~~shall~~ not be expended for the construction or reconstruction of buildings except as provided under s. 1013.74.

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(4) The Chancellor of the State University System may monitor and periodically review university expenditures in accordance with detailed university budgets approved pursuant to this section.

Section ~~22~~21. Section 1012.80, Florida Statutes, is amended to read:

1012.80 Participation by employees in disruptive activities at public postsecondary educational institutions; penalties.—

(1)(a) Any person who accepts the privilege extended by the laws of this state of employment at any Florida College System institution shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the State Board of Education, and the laws of this state. Such policies must be adopted in accordance with State Board of Education rule and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at Florida College System institutions.

(b) Any person who accepts the privilege extended by the laws of this state of employment at any state university shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the Board of Governors, and the laws of this state. Such policies must be adopted in accordance with Board of Governors regulation and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at state universities.

(2) If, after formal investigation conducted in accordance with s. 1008.32, s. 1008.322, or an applicable rule or

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regulation, it has been determined that an employee of a public postsecondary educational institution has participated in disruptive activities, the State Board of Education or the Board of Governors, as applicable, may enforce applicable personnel laws, rules, or regulations by applying authorized sanctions. The institution may, among other options, terminate the contract of the employee, and thereafter such person may ~~shall~~ not be employed by any state public school or public postsecondary educational institution.

(3) For purposes of this section, the meaning of the term "disruptive activities" shall be jointly developed and codified in rule and regulation by the State Board of Education and the Board of Governors, respectively.

Section ~~2322~~. Present subsection (3) of section 1012.886, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

(3) REPORT.—By August 1 of each year, the State Board of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each Florida College System institution's compliance with this section.

Section ~~2423~~. Present subsection (3) of section 1012.976, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.976 Remuneration of state university employees; limitations.—

(3) REPORT.—By August 1 of each year, the Board of

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Governors shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each state university's compliance with this section.

Section ~~25~~24. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	Updated HigherEd Draft....5-01233-22
Date:	Thursday, January 6, 2022 6:09:02 PM
Attachments:	UPDATED S Feedback - Draft 01233 Higher Ed Combined - 1.6.22 (ABAK).docx

Sorry this is the last update

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5-01233-22

A bill to be entitled

An act relating to higher education; amending s. 1001.03, F.S.; providing that a Florida College System institution that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; creating s. 1001.644, F.S.; requiring the State Board of Education to develop and annually deliver a training program for its members and each Florida College System institution board of trustees; providing the purposes of the training; requiring each member of the State Board of Education and each member of a Florida College System institution board of trustees to participate in the training program within a specified timeframe; requiring specified content to be included in the training; authorizing the State Board of Education to adopt rules; amending s. 1001.71, F.S.; requiring public notice and agendas for state university boards of trustees meetings to be published in a specified manner; amending s. 1001.706, F.S.; deleting authorization for state university boards of trustees to adopt rules or regulations under certain circumstances; requiring the Board of Governors and state universities to publish notices of the proposed adoption, amendment, or repeal of regulations in a specified manner; making technical changes; requiring the Board of Governors to ensure that state university students have access to certain civic literacy courses

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and assessments; revising Board of Governors procedures for review and approval of certain programs; revising requirements for certain training the Board of Governors must develop and deliver; authorizing the Board of Governors to transfer certain unused appropriations if authorized by a specific appropriation in the General Appropriations Act; requiring the Chancellor of the State University System to immediately notify and regularly apprise the Governor and the Legislature if the Board of Governors determines that a state university president or board of trustees is under investigation regarding certain allegations; revising the Board of Governors' powers and duties relating to personnel; revising the Board of Governors' powers and duties relating to property; providing that a state university that fails to comply with requirements relating to intellectual freedom and viewpoint diversity is not eligible to receive certain performance-based funding; making technical changes; creating s. 1001.725, F.S.; specifying requirements for university boards of trustees and university presidents relating to selection and reappointment of certain personnel; requiring each university president to annually present to his or her board of trustees the results of performance evaluations and associated salaries for certain personnel; amending s. 1004.03, F.S.; requiring the State Board of Education and the Board of Governors to establish, for the Florida College System and the State University System,

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respectively, a schedule for the regular review of postsecondary educational programs; specifying requirements for the reviews; providing for the usage of review results; requiring the State University System and Florida College System, to the extent possible, to coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration; amending s. 1004.04, F.S.; requiring the Commissioner of Education to conduct an audit of state-approved teacher preparation programs, processes, and systems; providing the purposes of the audit; specifying audit requirements; requiring the Commissioner of Education to submit to the Governor and the State Board of Education audit findings and recommendations at specified intervals; amending s. 1004.085, F.S.; requiring the Chancellor of the Florida College System and the Chancellor of the State University System, as applicable, to provide a summary of the information from institutions certifying their compliance with certain public posting requirements; amending s. 1007.24, F.S.; requiring the Commissioner of Education to recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses; revising the maintenance requirements of the statewide course numbering system; requiring certain postsecondary educational institutions to accept and apply general education

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courses and credit in a specified manner; requiring the State Board of Education to adopt rules; specifying requirements for the rules; amending s. 1007.25, F.S.; requiring faculty committees to submit reviews and recommendations on general education core courses to the Articulation Coordinating Committee and the Commissioner of Education at specified intervals; requiring public postsecondary students, beginning with a certain academic year, to complete certain courses as part of general education core course requirements; requiring all public postsecondary educational institutions to accept certain courses; creating s. 1007.55, F.S.; providing legislative findings; providing principles that specified entities must apply when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses; requiring students initially entering a public postsecondary educational institution in a specified school year to complete at least one core course in specified subject areas as part of general education core course requirements; specifying standards for core courses; requiring that, to the greatest extent possible, certain civic literacy courses be available as core courses in each of the general education subject areas; providing standards to be considered in the approval of a course as a general education course; requiring all public postsecondary educational institutions to offer all

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approved general education core courses; requiring general education courses to be accepted as such, in the same subject area, by all public postsecondary educational institutions; providing that public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, the general education course and general education core course requirements at their respective institutions; prohibiting public postsecondary educational institutions that fail to comply with certain requirements from receiving performance-based funding; amending s. 1008.32, F.S.; requiring the Commissioner of Education to consider any response to allegations of noncompliance received by the commissioner; granting the state board the authority to require that certain entities comply with specified requirements; amending s. 1008.322, F.S.; requiring the Chancellor of the State University System to consider any response to allegations of noncompliance received by the chancellor; granting the Board of Governors the authority to require that a university comply with specified requirements; creating s. 1008.325, F.S.; providing legislative intent; requiring the State Board of Education and the Board of Governors to determine each Florida College System institution's and each state university's eligibility, respectively, to receive performance-based funding; requiring the Chancellor of the Florida College System and the

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Chancellor of the State University System to publicly report to their respective state boards each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations; requiring the State Board of Education and the Board of Governors to report quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to state laws, rules, and regulations; requiring the State Board of Education or the Board of Governors, as applicable, to seek a remedy for any public postsecondary educational institution that is not in compliance; requiring the State Board of Education or the Board of Governors, as applicable, to withhold performance-based funding from a public postsecondary educational institution that is unable or unwilling to comply with applicable state laws, rules, or regulations; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.45, F.S.; revising the requirements of the Florida College System institution accountability process; amending s. 1008.46, F.S.; requiring the Board of Governors to address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees to address within its annual evaluation of its university president, the extent of system and institutional compliance with statutory and regulatory requirements

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of law, respectively; amending ss. 1009.23 and 1009.24, F.S.; prohibiting boards of trustees of Florida College System institutions and state universities, respectively, from increasing specified student fees after a specified date; providing that Florida College System institutions and state universities, respectively, may increase certain fees by a specified amount under certain conditions after a specified date; providing exceptions; requiring certain boards of trustees to report to the Chancellor of the State University system the total amount of revenue generated by certain fees by a specified date; requiring the Chancellors of the Florida College System and the State University System, respectively, to submit to the Governor and the Legislature a report concerning revenue generated by certain fees; specifying requirements for the report; requiring Florida College System institutions and state universities, respectively, to post specified information relating to tuition and fee rates and proposed changes to such rates on their websites and in a press release e-mailed to enrolled students; requiring each Florida College System institution and each state university to annually submit a fee schedule to the State Board of Education and the Board of Governors, respectively, for approval by a date established by State Board of Governors rule or Board of Governors regulation, respectively; requiring submission of an amended fee schedule under certain

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circumstances; amending s. 1011.81, F.S.; requiring the State Board of Education to collaborate with the Board of Governors in creating a template for use by Florida College System Institutions in creating an annual report on revenue sources; requiring that the report detail specified information; requiring Florida College System institutions to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the State Board of Education's website; revising the limitations imposed on the use of certain funds by Florida College System institutions; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.90, F.S.; requiring the Board of Governors to collaborate with the State Board of Education in creating a template for use by state universities in creating an annual report on revenue sources; requiring that the reports detail specified information; requiring state universities to submit their reports to the Governor and the Legislature by a certain date; requiring the reports to be published prominently on the Board of Governors' website; revising the limitations imposed on the use of certain funds by state universities; providing that an allegation of noncompliance is subject to certain investigatory, enforcement, and sanction provisions; amending s. 1011.91, F.S.; authorizing the Chancellor of the State University System to monitor and

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periodically review university expenditures; amending s. 1012.80, F.S.; requiring policies adopted by Florida College System institutions and state universities to be adopted in accordance with State Board of Education rule and Board of Governors regulation, respectively; requiring such policies to include discretionary penalties for participation in disruptive activities at public postsecondary educational institutions; authorizing the State Board of Education or the Board of Governors, as applicable, to apply authorized sanctions after formal investigation has established that an employee of a public postsecondary educational institution has participated in disruptive activities; requiring the State Board of Education and the Board of Governors to jointly develop and codify in rule and regulation the term "disruptive activities"; amending ss. 1012.886 and 1012.976, F.S.; requiring the State Board of Education and the Board of Governors, respectively, to report to the Governor and the Legislature each public postsecondary educational institution's compliance with certain provisions by a specified date each year; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

~~Section 1. Paragraph (d) is added to subsection (19) of section 1001.03, Florida Statutes, to read:~~

~~1001.03 Specific powers of State Board of Education.~~

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~~(19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.~~

~~(d) A Florida College System institution that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~2~~1. Section 1001.644, Florida Statutes, is created to read:

1001.644 Florida College System ~~institution~~ governing boards ~~of trustees~~; training.—The State Board of Education shall develop and annually deliver a training program for its members and each Florida College System institution board of trustees which addresses the role and responsibilities of such boards and their executive leadership in overseeing the Florida College System and its institutional resources and in protecting the public interest.

(1) Each member of the State Board of Education, Chancellor of the Florida College System, and each member of a Florida College System institution's board of trustees shall participate in the training program within 1 year after appointment or reappointment. All members of the State Board of Education, institution's board of trustees, and the Chancellor of the Florida College System must complete the same training to provide a comprehensive overview of the Florida College System, including roles and responsibilities of each institution's board of trustees, State Board of Education and Chancellor of the Florida College System.

(2) The training must include information on the responsibilities of the ~~Governor and~~ individual members of the

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State Board of Education, Florida College System institution board of trustees, and Florida College System institution executive leadership relating to all of the following:

(a) Meeting applicable statutory, regulatory, and fiduciary requirements.

(b) Establishing internal controls and accountability mechanisms for the Chancellor of the Florida College System, a Florida College System institution's president, and other administrative officials.

(c) Practicing oversight of a Florida College System institution's planning, construction, maintenance, expansion, and renovation projects.

(d) Establishing policies that promote college affordability, including ensuring that the costs of fees, textbooks, and instructional materials are minimized whenever possible.

(e) Creating and implementing systemwide rules and policies.

(f) Maintaining ethical standards and avoiding conflicts of interest.

(g) Implementing best practices for board governance.

(h) Understanding current national and state issues in higher education and in workforce education.

(i) Incorporating any additional board responsibilities that the State Board of Education finds to be necessary or appropriate.

(j) Providing a comprehensive review of the faculty and executive leadership hiring processes.

(3) The State Board of Education may adopt rules to

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implement this section.

Section ~~32~~. Subsection (5) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(5) Public notice of board meetings and agendas for each meeting must be published prominently on the university's home page of its website and timely published in the Florida Administrative Register. Each university board of trustees shall keep and, within 2 weeks after a board meeting, publish ~~post~~ prominently on the university's website detailed meeting minutes for all meetings, including the vote history and attendance of each trustee. The Board of Governors shall adopt regulations to implement this subsection.

Section ~~43~~. Paragraphs (b) and (c) of subsection (2), paragraphs (a) through (h) and (j) of subsection (3), subsection (4), paragraphs (f) and (g) of subsection (5), paragraphs (a) and (c) of subsection (6), and subsections (7), (8), and (11) of section 1001.706, Florida Statutes, are amended, and paragraph (d) is added to subsection (13) of that section, to read:

1001.706 Powers and duties of the Board of Governors.—

(2) REGULATORY AUTHORITY.—

(b) The Board of Governors shall be subject to the provisions of chapter 120 when acting pursuant to statutory authority derived from the Legislature, except that the Board of Governors may adopt regulations if expressly authorized or required by law. Such regulations must be adopted pursuant to a development procedure that complies with paragraph (c). ~~If the Board of Governors delegates a power or duty to a university board of trustees as the designee, the authority to adopt rules~~

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~~or regulations is included in the delegation. If the Board of Governors delegates a statutory power or duty to a university board of trustees, the university board of trustees shall be subject to the provisions of chapter 120 but may adopt regulations to the same extent as the Board of Governors under this subsection.~~

(c) The development procedure for regulations authorized or required by law must provide for notice to the public of, and an opportunity for public comment on, the proposed adoption, amendment, or repeal of a regulation; a process for a substantially affected person to challenge a statement of general applicability that has not been properly adopted as a regulation; a process for a substantially affected person to challenge an unlawful regulation; and a process for the adoption of and challenges to emergency regulations that are necessary to protect the public interest in the emergency. Judicial review shall be sought in the appellate district in which the headquarters of the Board of Governors is located or in which the main campus of the state university is located, as applicable. The regulation development procedure shall be published prominently on the websites of the Board of Governors and the state universities. Public notice of the Board of Governors' and the state universities' proposed adoption, amendment, or repeal of any regulation must be published prominently on the home page of the websites of the Board of Governors and the state universities and timely published in the Florida Administrative Register.

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

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(a) The Board of Governors~~, or the board's designee,~~ shall adopt regulations ~~develop guidelines~~ and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ relating to divisions of sponsored research, pursuant to the provisions of s. 1004.22, to serve the function of administration and promotion of the programs of research.

(c) The Board of Governors shall adopt regulations prescribing ~~prescribe~~ conditions for direct-support organizations and university health services support organizations to be certified and to use university property and services. Conditions relating to certification must provide for audit review and oversight by the Board of Governors.

(d) The Board of Governors shall adopt regulations ~~develop guidelines~~ for supervising faculty practice plans for the academic health science centers.

(e) The Board of Governors shall ensure that students at state universities have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23, and civic literacy courses and assessments, pursuant to s. 1007.25.

(f) The Board of Governors shall do all of the following:

1. Establish criteria for the review and approval of proposed new programs at state universities in accordance with s. 1004.03(1).

2. Approve baccalaureate degree programs that require more than 120 semester credit hours of coursework prior to such

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programs being offered by a state university. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

3. Establish a schedule, conduct program reviews, and consider recommendations resulting from the reviews conducted in accordance with s. 1004.03(3).

(g) The Board of Governors~~, or the board's designee,~~ shall adopt a written antihazing policy, appropriate penalties for violations of such policy, and a program for enforcing such policy.

(h) The Board of Governors shall review and approve each state university's~~, or the board's designee, may establish a~~ uniform code of conduct and ~~appropriate~~ penalties for violations of its regulations by students and student organizations, including regulations governing student academic honesty. Such penalties, unless otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with regulations or payment of fines, and the imposition of probation, suspension, or dismissal.

(j) The Board of Governors shall develop and annually deliver a training program for members of the Board of Governors and each state university board of trustees which ~~that~~ addresses the role and responsibilities of such boards and their executive leadership in governing institutional resources and protecting the public interest. At a minimum, each governor and trustee must participate in the training program within 1 year after ~~of~~ appointment or and reappointment to the Board of Governors or a university board of trustees, respectively. The Chancellor of

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the State University System must also participate in the Board of Governors' training program. All members of the Board of Governors, institution's board of trustees, and the Chancellor of the State University System must complete the same training to provide a comprehensive overview of the State University System, including roles and responsibilities of each institution's board of trustees, Board of Governors and Chancellor of the State University System. The program must include information on governor, trustee, and executive leadership responsibilities relating to all of the following:

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.

2. Establishing internal process controls and accountability mechanisms for the institution’s president and other administrative officers.

3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university’s consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.

4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.

5. Creation and implementation of institutionwide rules and regulations.

6. Institutional ethics and conflicts of interest.

7. Best practices for board governance.

8. Understanding current national and state issues in

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higher education.

9. Any other responsibilities the Board of Governors deems necessary or appropriate.

10. A comprehensive review of faculty and executive leadership hiring processes.

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(a) The Board of Governors~~, or the board's designee,~~ shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the constituent universities to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.

(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the Early Learning-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy requirements, guidelines, formats, and instruction for the development of individual university budget requests.

(c) The Board of Governors~~, or the board's designee,~~ shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26, unless otherwise provided in law. Pursuant to subsection (e) of s. 7, Art. IX of the State Constitution, any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university, if approval by the

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board of trustees is required by general law, and at least twelve affirmative votes of the members of the board of governors, if approval by the board of governors is required by general law, in order to take effect.

(d) The Board of Governors~~, or the board's designee,~~ is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.

(e) The Board of Governors, if authorized by a specific appropriation in the General Appropriations Act, may transfer unused appropriations from the Education/General Student and Other Fees Trust Fund, pursuant to s. 1011.4106(2), between institutions.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(f) If the Board of Governors of the State University System determines that a state university president or board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations. In such cases, the Chancellor of the State University System must immediately notify and regularly apprise the Governor, the President of the Senate, and the Speaker of the House of Representatives of the allegations and the status of the investigation.

(g) The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a), subject to the development procedure for regulations established under paragraph (~~2~~4)(c). If not currently authorized, the Board of Governors may request

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authority from the Legislature to waive or modify specific statutory requirements, including percentages and dollar amount limitations in s. 1009.24, in order to reduce barriers and support the attainment of goals identified in institutional plans, as necessary for advancing system priorities and unique institutional priorities. Regulatory flexibilities authorized and statutory flexibilities authorized or requested by the Board of Governors pursuant to this paragraph must be included in the accountability plan prepared and submitted pursuant to paragraph (c).

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors~~, or the board's designee,~~ shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

(c)1. Except as otherwise provided by law, university employees are public employees for purposes of chapter 112, and any payment for travel and per diem expenses may ~~shall~~ not exceed the level specified in s. 112.061.

2. State university administrative employees are subject to the remuneration requirements of s. 1012.976, as annually confirmed compliant by each university president.

(7) POWERS AND DUTIES RELATING TO PROPERTY.—

(a) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for

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the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

(b) The Board of Governors shall adopt regulations ~~develop guidelines~~ for university boards of trustees relating to the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority provided ~~the board of trustees~~ in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.

(c) The Board of Governors~~, or the board's designee,~~ shall

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administer a program for the maintenance and construction of facilities pursuant to chapter 1013.

(d) The Board of Governors~~, or the board's designee,~~ shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 are not ~~shall not be~~ subject to s. 287.09451.

(e) Notwithstanding ~~the provisions of~~ s. 253.025 but subject to ~~the provisions of~~ s. 1010.62, the Board of Governors~~, or the board's designee,~~ may, with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.

1. The Board of Governors~~, or the board's designee,~~ may secure appraisals and surveys. The Board of Governors~~, or the board's designee,~~ shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the Board of Governors~~, or the board's designee,~~ finds it necessary for timely property acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. The Board of Governors~~, or the board's designee,~~ may negotiate and enter into an option contract before an appraisal

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is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the Board of Governors~~, or the board's designee,~~ or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the Board of Governors ~~or the board's designee~~.

3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(f) The Board of Governors~~, or the board's designee,~~ shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(g) The Board of Governors~~, or the board's designee,~~ shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(h) Notwithstanding ~~the provisions of~~ s. 216.351, the Board of Governors~~, or the board's designee,~~ may authorize the rent or lease of parking facilities provided that such facilities are funded through parking fees or parking fines imposed by a university. The Board of Governors~~, or the board's designee,~~ may authorize a university board of trustees to charge fees for parking at such rented or leased parking facilities.

(8) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND

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REQUIREMENTS.—The Board of Governors has responsibility for complying with, and overseeing and ensuring the compliance of each state university president and board of trustees with, state and federal laws, rules, regulations, and requirements.

(11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of Governors may revoke or modify the scope of any power or duty it has delegated through regulatory action.

~~(13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—~~

~~(d) A state university that fails to comply with the requirements of this subsection is not eligible to receive any performance-based funding pursuant to s. 1008.325.~~

Section ~~5~~4. Section 1001.725, Florida Statutes, is created to read:

1001.725 University boards of trustees; personnel.—

(1) Each university board of trustees is responsible for hiring faculty. The president may provide hiring recommendations to the board; however, the president or the board is not bound by recommendations or opinions of faculty or other individuals or groups. The board may delegate its hiring authority to the president; however, the board shall approve or deny any selection by the president.

(2) Each university board of trustees shall confirm its president's selection and reappointment of the university's executive management team members and their respective contracts and annual salaries, in accordance with the university's personnel program established by the Board of Governors. Contracts and responsibilities of the president and executive team members, including, but not limited to, provost positions, must explicitly delineate that the duties of positions, other

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than the president, are limited to administrative oversight and operational supervision of curricular, instructional, and research affairs, as applicable to the position.

(3) Each university president shall annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of $100,000 or more.

Section 56. Subsection (3) is added to section 1004.03, Florida Statutes, to read:

1004.03 Program approval.—

(3) The State Board of Education and the Board of Governors shall establish, for the Florida College System and the State University System, respectively, a schedule for the regular review and evaluation of nondegree, certificate, nondegree certificate, associate degree, baccalaureate degree, and graduate degree academic programs to determine program adequacy, compliance, and performance. The schedule established must require such review to occur at least once every 3 years.

(a) Reviews conducted pursuant to this section, at a minimum, must determine program alignment and compliance with program subject area and course content, program length, general education requirements, and common prerequisite requirements established by faculty committees pursuant to ss. 1007.24, 1007.25, and 1007.55; confirm authorized and reasonable course and program fees; and affirm satisfactory attainment of student enrollment and student performance outputs and outcomes.

(b) The results of program reviews conducted pursuant to this section must be used to inform the respective system chancellor's recommendation to the Commissioner of Education,

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the State Board of Education, and the Board of Governors, as applicable, regarding program continuation, corrective action, or termination. Each chancellor shall consult with the respective institution presidents regarding the results of the reviews before recommending actions. The chancellor shall solicit the input of the Articulation Coordinating Committee when recommended actions raise multijurisdictional program conflicts, in accordance with ss. 1007.25 and 1007.55.

(c) To the extent possible, the State University System and the Florida College System shall coordinate the prioritization and timing of subject area degree and program review cycles to maximize the benefits of multijurisdictional collaboration.

Section ~~76~~. Present subsection (6) of section 1004.04, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(6) STATEWIDE TEACHER PREPARATION PROGRAM AUDIT.—The Commissioner of Education shall conduct an audit of state-approved teacher preparation programs, processes, and systems to determine their performance and identify opportunities for improvement. The audit applies to programs approved pursuant to this section, postsecondary educator preparation institutes approved pursuant to s. 1004.85, and professional development certification and education competency programs approved pursuant to s. 1012.56(8).

(a) The audit must include, but is not limited to:

1. An analysis of the programs to identify their performance in meeting the demands of the state's public

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schools.

2. An analysis of the programs to determine their impact on the production of quality teachers.

3. An analysis of the programs' accountability systems to identify programmatic strengths, weaknesses, and opportunities for improvement.

4. An evaluation of the initial and continued program approval processes, including a review of content and curriculum to ensure compliance with law and state board rules.

(b) The commissioner shall, by December 1, 2022, and by December 1 every 5 years thereafter, submit to the Governor and to the State Board of Education audit findings and recommendations, including, at minimum, recommendations regarding new or improved standards, curriculum, process, and accountability requirements.

Section ~~8~~7. Subsection (7) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not able to meet the textbook and instructional materials posting

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deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions, including certification of compliance from each institution with the public posting requirements of this section, to the State Board of Education and the Board of Governors, as applicable.

Section ~~98~~. Present subsection (8) of section 1007.24, Florida Statutes, is redesignated as subsection (9) and amended, a new subsection (8) is added to that section, and subsections (3), (4), and (5) of that section are amended, to read:

1007.24 Statewide course numbering system.—

(3) The Commissioner of Education shall recommend to the State Board of Education the general education courses authorized for inclusion in the statewide course numbering system and the levels for the courses. The State Board of Education, with input from the Board of Governors, shall approve the general education courses and the levels for the courses.

(4) The statewide course numbering system must be maintained electronically and regularly updated by the department and ~~shall~~ include the courses at the recommended levels, statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

(5) The registration process at each state university and Florida College System institution shall include the courses at their designated levels, ~~and~~ statewide course numbers, titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

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(8) Participating postsecondary educational institutions receiving transfer course credit shall accept and apply general education courses and credit in accordance with this section, ss. 1007.25 and 1007.55, and other provisions of law, including credit earned through dual enrollment, course equivalencies, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

(9)~~(8)~~ The State Board of Education shall adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty committee reviews and recommendations. At a minimum, the rules must address all of the following:

(a) Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course information.

(b) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, titles, designated levels, credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

(c) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency, civic literacy, or other course types, pursuant to ss. 1007.25

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and 1007.55, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

(d) Purges of courses that are listed in the statewide course numbering system but have not been taught at an institution for the preceding 5 years. These rules must include waiver provisions that allow course continuation if an institution has reasonable cause for having not offered a course within the 5-year limit and an expectation that the course will be offered again within the following 5 years.

Section ~~10~~9. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee for approval by~~and~~ the commissioner ~~for approval~~and the Chancellor of the State University System ~~identify~~ statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by December 1, 2022, and by December 1 every 3 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of s. 1007.55 and this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of

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communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised~~, or the five-course maximum within each subject area may be exceeded,~~ if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area, in accordance with s. 1007.55.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course, consistent with the principles, standards, and content requirements established in s. 1007.55.

(c) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded. Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements, in accordance with s. 1007.55(3).

(d) All public postsecondary educational institutions shall accept these courses as meeting general education core course

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requirements, regardless of whether the receiving institution offers the identical general education core course. The remaining general education course requirements shall be identified by each institution from among the authorized courses listed in the statewide course numbering system and reported to the department by their statewide course number.

(e) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section ~~11~~10. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote democratic values through traditional, historically accurate, and high-quality coursework. Courses with a curriculum based on unproven, theoretical, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

(2) In performing their duties under ss. 1007.24 and 1007.25, the State Board of Education, Board of Governors, Commissioner of Education, Articulation Coordinating Committee, and faculty committees, when approving or recommending for approval general education courses, general education core courses, and substitute or equivalency credit for such courses, shall apply the following principles:

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(a) General education courses must promote the philosophical underpinnings of Western civilization and include studies of this nation's historical documents, such as the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(b) General education courses must ~~may~~ not suppress or distort significant historical events or include a curriculum that teaches identity politics, such as Critical Race Theory, or defines American history as contrary to the creation of a new nation based on universal principles stated in the Declaration of Independence.

(3) Beginning with students initially entering a Florida College System institution or state university in the 2023-2024 academic year and thereafter, each student must complete at least one core course in each subject area as part of general education core course requirements.

(a) General education core courses must meet the following standards:

1. Communications courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking, through the engagement with the Western literary tradition.

2. Humanities courses must afford students the ability to think critically through mastering propositional logic and analyzing ethical arguments from classical works on logic, rhetoric, and ethics.

3. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific

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method to explain natural experiences and phenomena.

4. Social science courses must afford students an understanding of the basic principles of government of the American republic and conditions for the success of self-rule, including an understanding of basic behavioral science concepts used in society~~sociology~~.

5. Mathematics courses must afford students a mastery of foundational mathematical and computational models and methods by applying such models and methods in problem solving.

(b) To the greatest extent possible, civic literacy courses established pursuant to s. 1007.25(5) must be available as core courses in each of the general education subject areas.

(4) To be considered for approval as a general education course, a course must be offered by at least half of all public postsecondary educational institutions. All public postsecondary educational institutions must offer all approved general education core courses. If a course is approved as a general education course, that course must be accepted as a general education course, in the same subject area, by all public postsecondary educational institutions.

(5) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course and general education core course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25, at their respective institutions. Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to s. 1008.325.

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Section ~~1211~~. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 1008.32, Florida Statutes, are amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of early learning coalitions, district school boards, and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. ~~The commissioner shall consider any response to allegations of noncompliance which the commissioner receives.~~ The commissioner shall report determinations of probable cause to the State Board of Education which shall require the early learning coalition, district school board, or Florida College System institution board of trustees to document compliance with law or state board rule. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

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(4) If the State Board of Education determines that an early learning coalition, a district school board, or a Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(b) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the early learning coalition, school district, or Florida College System institution complies with the law or state board rule, including, but not limited to, complying with the requirements of s. 1008.325.

Section 12~~3~~. Paragraph (a) of subsection (3) and paragraph (a) of subsection (5) of section 1008.322, Florida Statutes, are amended to read:

1008.322 Board of Governors oversight enforcement authority.—

(3)(a) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. ~~The chancellor shall consider any response to allegations of noncompliance which the chancellor receives.~~ The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation. Allegations of noncompliance shall consider the institution's response to the initial allegation of noncompliance.

(5) If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:

(a) Withhold the transfer of state funds, discretionary

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grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation, including, but not limited to, complying with the requirements of s. 1008.325.

Section ~~14~~13. Effective July 1, 2022, section 1008.325, Florida Statutes, is created to read:

1008.325 Public postsecondary educational institution funding eligibility conditioned on compliance with law.—

(1) The Legislature intends that the eligibility of public postsecondary educational institutions to receive discretionary state funding be contingent upon the receiving institution's compliance with applicable state laws, rules, and regulations, as determined by the State Board of Education and the Board of Governors, as applicable.

(2) The State Board of Education shall determine each Florida College System institution's eligibility to receive performance-based funding pursuant to ss. 1001.66 and 1001.67 and as prescribed in the General Appropriations Act, and other performance-based funding distributed by the state board, based on the institution's compliance with applicable state laws and rules.

(3) The Board of Governors shall determine each state university's eligibility to receive performance-based funding pursuant to ss. 1001.7065, 1001.92, and 1011.905, and other performance-based funding distributed by the board, based on the university's compliance with applicable state laws and regulations.

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(4) The Chancellor of the Florida College System and the Chancellor of the State University System shall publicly report to the State Board of Education and the Board of Governors, respectively, each public postsecondary educational institution's compliance with applicable state laws, rules, and regulations.

(5) The State Board of Education and the Board of Governors shall ~~report~~ assure quarterly to the Governor and the Legislature the compliance status of each public postsecondary educational institution in this state with respect to applicable state laws, rules, and regulations. If a public postsecondary educational institution is not in compliance, the State Board of Education or the Board of Governors, as applicable, must seek a remedy to the noncompliance pursuant to s. 1008.32 or s. 1008.322.

(6) If a public postsecondary educational institution fails to comply with applicable state laws, rules, or regulations and is unwilling or unable to remedy its noncompliance, then the State Board of Education and the Board of Governors, respectively, must withhold the institution's performance-based funding until the institution returns to compliance.

(7) The State Board of Education shall adopt rules, and the Board of Governors shall adopt regulations, to implement this section.

Section ~~15~~14. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

(3) The State Board of Education shall address within the

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annual evaluation of the performance of the Chancellor of the Florida College System ~~executive director~~, and the Florida College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability process and the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~16~~15. Present subsection (2) of section 1008.46, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of

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teaching, research, and service inherent in the missions of the state universities.

(2) The Board of Governors shall address within the annual evaluation of the performance of the Chancellor of the State University System, and each state university board of trustees shall address within its annual evaluation of its university president, the extent of system and institutional compliance, respectively, with statutory and regulatory requirements.

Section ~~17~~16. Subsection (7), paragraph (a) of subsection (8), subsection (10), paragraph (a) of subsection (11), paragraph (a) of subsection (12), subsection (15), paragraph (b) of subsection (16), subsection (17), paragraph (a) of subsection (18), and subsection (20) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(7) Each Florida College System institution board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee must ~~shall~~ be collected as a component part of the tuition and fees. The student activity and service fees must ~~shall~~ be paid into a student activity and service fund at the Florida College System institution and must ~~shall~~ be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the Florida College System institution without regard to race, sex, or religion. A ~~No~~ Florida College System institution may not ~~shall~~ be required to

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lower any activity and service fee approved by the board of trustees of the Florida College System institution and in effect prior to October 26, 2007, in order to comply with ~~the provisions of~~ this subsection. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a student activity and service fee established pursuant to this subsection.

(8)(a) Each Florida College System institution board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each Florida College System institution board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than $500,000. If the amount generated is less than $500,000, a Florida College System institution that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between $500,000 and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a financial aid fee established pursuant to this paragraph.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not

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exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee must ~~shall~~ be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this subsection.

(11)(a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed 20 percent of tuition for resident students or 20 percent of the sum of tuition and out-of-state fees for nonresident students. ~~The fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ Funds collected by Florida College System institutions through the fee may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, remodeling of educational facilities, or the acquisition and renovation or remodeling of improved real property for use as educational facilities. The fee must ~~shall~~ be collected as a component part of the tuition and fees, paid

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into a separate account, and expended only to acquire improved real property or construct and equip, maintain, improve, or enhance the educational facilities of the Florida College System institution. Projects and acquisitions of improved real property funded through the use of the capital improvement fee must ~~shall~~ meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each Florida College System institution shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a technology fee established pursuant to this paragraph.

(12)(a) In addition to tuition, out-of-state, financial aid, capital improvement, student activity and service, and technology fees authorized in this section, each Florida College System institution board of trustees is authorized to establish fee schedules for the following user fees and fines: laboratory fees, which do not apply to a distance learning course; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or microfilming fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines may ~~shall~~ not exceed the cost of the services provided and may ~~shall~~ only be charged to persons receiving the service. A Florida College System institution may not charge any fee except as authorized by law. Parking fee revenues may be pledged by a Florida College System institution

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board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, with an overall term of not more than 7 years, including renewals, extensions, and refundings, and revenue bonds with a term not exceeding 20 years and not exceeding the useful life of the asset being financed. Florida College System institutions shall use the services of the Division of Bond Finance of the State Board of Administration to issue any revenue bonds authorized by this subsection. Any such bonds issued by the Division of Bond Finance must ~~shall~~ be in compliance with the provisions of the State Bond Act. Bonds issued pursuant to the State Bond Act may be validated in the manner established in chapter 75. The complaint for such validation must ~~shall~~ be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 must ~~shall~~ be published only in the county where the complaint is filed, and the complaint and order of the circuit court must ~~shall~~ be served only on the state attorney of the circuit in which the action is pending. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a fee established pursuant to this paragraph by more than 3 percent. Beginning with the 2023-2024 academic year, a fee established pursuant to this paragraph may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the Florida College System institution has made every effort, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by a Florida College System institution under this paragraph may not exceed

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the cost of the service provided.

(15) Each Florida College System institution may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of the convenience fee may not exceed the total cost charged by the credit card company to the Florida College System institution. Such service charge or convenience fee must be approved by the Florida College System institution board of trustees. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a service charge established pursuant to this subsection.

(16)

(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. Beginning July 1, 2023, a Florida College System institution board of trustees may not increase a distance learning course user fee established under this subsection by more than 3 percent of the amount assessed the prior year. By each September 1 ~~of each year~~, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended. By November 1 of each year, the Chancellor of the Florida College System shall report the total amount of revenue generated by the distance

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learning course user fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(17) Each Florida College System institution that accepts transient students, pursuant to s. 1006.73, may establish a transient student fee not to exceed $5 per course for processing the transient student admissions application. Beginning July 1, 2022, a Florida College System institution board of trustees may not increase a transient student fee established pursuant to this subsection.

(18)(a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed $6 per credit hour. ~~An increase in the transportation access fee may occur only once each fiscal year and must be implemented beginning with the fall term.~~ A referendum must be held by the student government to approve the application of the fee. Beginning July 1, 2022, the Board of Trustees of Santa Fe College may not increase the transportation access fee established pursuant to this paragraph.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the Florida College System institution's home page of its website in an area that is transparent and easily accessible, as applicable. Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its

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consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.

3.~~(c)~~ Be posted on the institution's website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each Florida College System institution shall annually submit a fee schedule to the State Board of Education for its approval by a date established by state board rule. A Florida College System institution must submit for approval by the state board by a date established by state board rule an amended fee schedule when a fee is changed pursuant to paragraph (12)(a).

Section ~~18~~17. Paragraph (d) of subsection (4) and subsections (7) through (17) and (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or in the General Appropriations Act. A ~~No~~ university may not ~~shall~~ be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and

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athletic fees more than 5 percent per year unless specifically authorized in law or in the General Appropriations Act. Beginning July 1, 2022, a university may not increase its athletic fee ~~to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection (12) and may not exceed $2 per credit hour. Notwithstanding ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection which causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university may exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase may not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees may not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee~~

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~~committee pursuant to subsection (10), subsection (11), or subsection (12)~~.

(7) A university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. Beginning July 1, 2022, a university board of trustees may not increase a financial aid fee established pursuant to this subsection. The revenues from fees are to remain at each campus and replace existing financial aid fees. Such funds must ~~shall~~ be disbursed to students as quickly as possible. A minimum of 75 percent of funds from the student financial aid fee must ~~shall~~ be used to provide financial aid based on absolute need. The Board of Governors shall develop criteria for making financial aid awards. Each university shall report annually to the Board of Governors and the Department of Education on the revenue collected pursuant to this subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report must ~~shall~~ include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards ~~which are~~ based on financial need must ~~shall~~ be distributed in accordance with a nationally recognized system of need analysis approved by the Board of Governors. An award for academic merit must ~~shall~~ require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(8)~~(a)~~ The Capital Improvement Trust Fund fee is established as $4.76 per credit hour per semester.

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~~(b) Beginning with the 2012 fall term, each university board of trustees may increase the Capital Improvement Trust Fund fee. Any increase in the fee must be recommended by a Capital Improvement Trust Fund committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the fee may occur only once each fiscal year and must be implemented beginning with the fall term. The Board of Governors shall adopt regulations and timetables to implement the fee.~~

~~(c)~~ The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The ~~fee for resident students shall be limited to an increase of $2 per credit hour over the prior year.~~ The Capital Improvement Trust Fund fee may be used to fund any project or real property acquisition that meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. Beginning July 1, 2022, a university board of trustees may not increase the fee established pursuant to this subsection ~~The Board of Governors shall approve any proposed fee reductions provided~~

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~~that no such reduction reduces the fee below the level established in paragraph (a)~~.

(9) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees. Beginning July 1, 2022, a university board of trustees may not increase a service, health, or athletic fee established pursuant to this subsection. When duly established, the fees must ~~shall~~ be collected as component parts of tuition and fees and must ~~shall~~ be retained by the university and paid into the separate activity and service, health, and athletic funds. Notwithstanding any other ~~provision of~~ law to the contrary, a university may transfer revenues derived from the fees authorized pursuant to this subsection to a university direct-support organization of the university to be used only for the purpose of paying and securing debt on projects approved pursuant to s. 1010.62 and pursuant to a written agreement approved by the Board of Governors. The amount transferred may not exceed the amount authorized for annual debt service pursuant to s. 1010.62.

(10)(a) Each university board of trustees shall establish a student activity and service fee on the main campus of the university. The university board may also establish a student activity and service fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase a student activity and service fee established pursuant to this paragraph ~~Any subsequent increase in the activity and service fee must be recommended by an activity and service fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall~~

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~~be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the activity and service fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(b) The student activity and service fees must ~~fees shall~~ be expended for lawful purposes to benefit the student body in general. This includes ~~shall include~~, but is ~~shall~~ not ~~be~~ limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fund may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fund shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when submitted by the student government association legislative body. The university president has ~~shall have~~ 15 school days after ~~from~~ the date of presentation of the budget to act on the allocation and expenditure recommendations, which are ~~shall be~~ deemed approved if no action is taken within the 15 school days. If any line

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item or portion thereof within the budget is vetoed, the student government association legislative body must ~~shall~~ within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fund. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees. Unexpended funds and undisbursed funds remaining at the end of a fiscal year must ~~shall~~ be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

(11) Each university board of trustees shall establish a student health fee on the main campus of the university. The university board of trustees may also establish a student health fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase ~~Any subsequent increase in~~ the health fee established pursuant to this subsection ~~must be recommended by a health committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the health fee may occur only once each fiscal year and must be implemented beginning with the fall~~

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~~term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(12) Each university board of trustees shall establish a separate athletic fee on the main campus of the university. The university board may also establish a separate athletic fee on any branch campus or center. Beginning July 1, 2022, a university board of trustees may not increase an ~~Any subsequent increase in the~~ athletic fee established pursuant to this subsection ~~must be recommended by an athletic fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, with final approval by the university board of trustees. An increase in the athletic fee may occur only once each fiscal year and must be implemented beginning with the fall term~~. The Board of Governors shall adopt ~~is responsible for adopting~~ the regulations and timetables necessary to implement this fee.

(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. Beginning July 1, 2022, a university board of trustees may not increase a technology fee established pursuant to this subsection. The revenue from this fee must ~~shall~~ be used to enhance instructional technology resources for students and

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faculty.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(a) A nonrefundable application fee in an amount not to exceed $30.

(b) An orientation fee in an amount not to exceed $35.

(c) A fee for security, access, or identification cards. The annual fee for such a card may not exceed $10 per card. The maximum amount charged for a replacement card may not exceed $15.

(d) Registration fees for audit and zero-hours registration; a service charge, which may not exceed $15, for the payment of tuition and fees in installments; and a late-registration fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to initiate registration during the regular registration period.

(e) A late-payment fee in an amount not less than $50 nor more than $100 to be imposed on students who fail to pay or fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) tuition by the deadline set by each university. Each university may adopt specific procedures or policies for waiving the late-payment fee for minor underpayments.

(f) Fees for transcripts and diploma replacement, not to exceed $10 per item.

(g) A nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed $200. The admissions deposit shall be imposed at the time

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of an applicant's acceptance to the university and shall be applied toward tuition upon enrollment. If the applicant does not enroll in the university, the admissions deposit must ~~shall~~ be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. The Board of Governors shall adopt a policy that provides for the waiver of such admissions deposit on the basis of financial hardship.

(h) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under subsection (11).

(i) Materials and supplies fees to offset the cost of materials or supplies that are consumed in the course of the student's instructional activities, excluding the cost of equipment replacement, repairs, and maintenance.

(j) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student.

(k) A charge representing the reasonable cost of efforts to collect payment of overdue accounts.

(l) A service charge on university loans in lieu of interest and administrative handling charges.

(m) A fee for off-campus course offerings when the location results in specific, identifiable increased costs to the university.

(n) Library fees and fines, including charges for damaged and lost library materials, overdue reserve library books, interlibrary loans, and literature searches.

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(o) Fees relating to duplicating, photocopying, binding, and microfilming; copyright services; and standardized testing. These fees may be charged only to those who receive the services.

(p) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.

(q) A returned-check fee as authorized by s. 832.07(1) for unpaid checks returned to the university.

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of this chapter, as specifically authorized by law or the General Appropriations Act.

(s) An Educational Research Center for Child Development fee for child care and services offered by the center.

(t) A transient student fee that may not exceed $5 per course for accepting a transient student and processing the transient student admissions application pursuant to s. 1006.73.

Beginning July 1, 2023, a university board of trustees may not increase any fee established pursuant to this subsection by more than 3 percent. Beginning with the 2023-2024 academic year, a fee may be increased only once every 3 years. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost. Any fee assessed by an institution under this subsection may not exceed the cost of the

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service provided ~~With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services~~. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(15)(a) The Board of Governors may approve~~:~~

~~1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.~~

~~2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).~~

~~3.~~ a proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university's continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses must ~~shall~~ be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must ~~shall~~ be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

(b) A proposal developed pursuant to paragraph (a) must

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~~shall~~ be submitted in accordance with guidelines established by the Board of Governors. Approval by the Board of Governors of such proposal must be made in accordance with ~~the provisions of~~ this subsection.

(c) ~~In reviewing a proposal to establish a new fee under subparagraph (a)1., the Board of Governors shall consider:~~

~~1. The purpose to be served or accomplished by the new fee.~~

~~2. Whether there is a demonstrable student-based need for the new fee that is not currently being met through existing university services, operations, or another fee.~~

~~3. Whether the financial impact on students is warranted in light of other charges assessed to students for tuition and associated fees.~~

~~4. Whether any restrictions, limitations, or conditions should be placed on the use of the fee.~~

~~5. Whether there are outcome measures to indicate if the purpose for which the fee was established is accomplished.~~

~~(d) In reviewing a proposal to increase or exceed the current cap for an existing fee under subparagraph (a)2., the Board of Governors shall consider:~~

~~1. The services or operations currently being funded by the fee.~~

~~2. Whether those services or operations can be performed more efficiently to alleviate the need for any increase.~~

~~3. The additional or enhanced services or operations to be funded by the increase.~~

~~4. Whether any alternative resources are available to meet the need.~~

~~5. Whether the financial impact on students is warranted in~~

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~~light of other charges assessed to students for tuition and associated fees.~~

(c) ~~(e)~~ In reviewing a proposal to implement a flexible tuition policy under paragraph (a) ~~subparagraph (a)3.~~, the Board of Governors shall consider:

1. Whether the proposed tuition flexibility policy is aligned with the mission of the university.

2. Whether the proposed tuition flexibility policy increases the state's fiscal liabilities or obligations and, if so, the proposal must ~~shall~~ be denied.

3. Whether any restrictions, limitations, or conditions should be placed on the policy.

4. How the proposed tuition flexibility policy will be implemented to honor the advance payment contracts of students who are beneficiaries of prepaid tuition contracts under s. 1009.98.

(d) ~~(f)~~ The Board of Governors shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, and the Governor summarizing the proposals received by the board during the preceding year and actions taken by the board in response to such proposals. ~~The Board of Governors shall also include in the annual report the following information for each fee established pursuant to subparagraph (a)1.:~~

~~1. The amount of the fee.~~

~~2. The total revenues generated by the fee.~~

~~3. Detailed expenditures of the revenues generated by the fee.~~

~~(g) The aggregate sum of any fees established pursuant to~~

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~~subparagraph (a)1. that a student is required to pay to register for a course shall not exceed 10 percent of tuition.~~

~~(h) Any fee established pursuant to subparagraph (a)1. shall not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.~~

~~(i) The revenues generated by a fee established pursuant to subparagraph (a)1. may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used for the purpose of paying or securing debt.~~

~~(j) If the Board of Governors approves a university proposal to establish a fee pursuant to subparagraph (a)1., a fee committee shall be established at the university to make recommendations to the university president and the university board of trustees regarding how the revenue from the fee is to be spent and any subsequent changes to the fee. At least one-half of the committee must be students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chair, appointed jointly by the university president and the student body president, shall vote only in the case of a tie.~~

~~(k) An increase to an existing fee or a fee established pursuant to subparagraph (a)1. may occur no more than once each fiscal year and must be implemented beginning with the fall term.~~

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment

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of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential must ~~shall~~ promote improvements in the quality of undergraduate education and must ~~shall~~ provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential must ~~shall~~ be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. Except as otherwise provided in this subsection, the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, must ~~shall~~ be expended to provide financial aid to undergraduate students who exhibit financial need, including students who are scholarship recipients under s. 1009.984, to meet the cost of university attendance. This expenditure for need-based financial aid may ~~shall~~ not supplant the amount of need-based aid provided to undergraduate students in the preceding fiscal year from financial aid fee revenues, the direct appropriation for

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financial assistance provided to state universities in the General Appropriations Act, or from private sources. The total amount of tuition differential waived under subparagraph (b)6. ~~(b)7.~~ may be included in calculating the expenditures for need-based financial aid to undergraduate students required by this subsection. If the entire tuition and fee costs of resident students who have applied for and received Pell Grant funds have been met and the university has excess funds remaining from the 30 percent of the revenues from the tuition differential required to be used to assist students who exhibit financial need, the university may expend the excess portion in the same manner as required for the other 70 percent of the tuition differential revenues.

(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, by campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. ~~For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the~~

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~~preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:~~

~~a. An increase in the 4-year graduation rate for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System.~~

~~b. An increase in the total annual research expenditures.~~

~~c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.~~

~~4.~~ The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.

4.~~5.~~ Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

5.~~6.~~ The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

6.~~7.~~ The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida Public Student Assistance Grant Program established in s. 1009.50.

7.~~8.~~ Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may

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take effect with the 2009 fall term.

(c) A university board of trustees may submit a proposal to the Board of Governors to implement a tuition differential for one or more undergraduate courses. At a minimum, the proposal must ~~shall~~:

1. Identify the course or courses for which the tuition differential will be assessed.

2. Indicate the amount that will be assessed for each tuition differential proposed.

3. Indicate the purpose of the tuition differential.

4. Indicate how the revenues from the tuition differential will be used.

5. Indicate how the university will monitor the success of the tuition differential in achieving the purpose for which the tuition differential is being assessed.

(d) The Board of Governors shall review each proposal and advise the university board of trustees of approval of the proposal, the need for additional information or revision to the proposal, or denial of the proposal. The Board of Governors shall establish a process for any university to revise a proposal or appeal a decision of the board.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of ~~the provisions of~~ this subsection no later than February 1 of each year. The report must ~~shall~~ summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report must ~~shall~~ provide the following information for each university

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~~that has been~~ approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.

2. The total revenues generated by the tuition differential.

3. With respect to waivers authorized under subparagraph (b)6. ~~(b)7.~~, the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.

4. Detailed expenditures of the revenues generated by the tuition differential.

5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty, student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

(f) No state university shall be required to lower any tuition differential that was approved by the Board of Governors and in effect prior to January 1, 2009, in order to comply with ~~the provisions of~~ this subsection.

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.73, a per-credit-hour distance learning course fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of

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technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs. Beginning July 1, 2023, a university board of trustees may not increase the distance learning course fee authorized under this subsection by more than 3 percent of the amount assessed the prior year; however, the total collected by an institution from such fee may not exceed the cost of the service provided by that institution. Fees assessed as a result of a vendor contract may exceed the 3 percent cap only after the institution has made every effort available, and has followed the competitive solicitation process pursuant to s. 287.057(1), to minimize the cost.

1. By September 1 of each year, each board of trustees shall report to the Chancellor of the State University System the total amount of revenue generated for the prior fiscal year by the fee authorized by this subsection and how that revenue was expended.

2. By November 1 of each year, the Chancellor of the State University System shall report the total amount of revenue generated by the distance learning course fee for the prior fiscal year and how the revenue was expended, both systemwide and by institution, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) If an institution assesses the distance learning fee,

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the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website.

(20)(a) All tuition and fees described in this section, and any proposed changes to them, must be published prominently on the university's home page on its website in a location that is transparent and easily accessable. Each state university shall publicly notice and notify all enrolled students of any proposal to change tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

1.~~(a)~~ Include the date and time of the meeting at which the proposal will be considered.

2.~~(b)~~ Specifically outline the details of existing tuition and fees, the rationale for the proposed change, and how the funds from the proposed change will be used.

3.~~(c)~~ Be published ~~posted~~ on the university's home page on its website and issued in a press release. The press release must also be enclosed in an e-mail sent to all enrolled students.

(b) Each university shall annually submit a fee schedule to the Board of Governors for approval by the board by a date established by board regulation. When a fee is changed pursuant to paragraph (17)(b), a university must submit an amended fee schedule for approval by the board by a date established by board regulation.

Section ~~19~~18. Subsections (1) and (3) of section 1011.81, Florida Statutes, are amended to read:

1011.81 Florida College System Program Fund.—

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(1)(a) There is established a Florida College System Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the Florida College System institution districts of the state on the basis of procedures established by law and rules of the State Board of Education. The annual apportionment for each Florida College System institution district shall be distributed monthly in payments as nearly equal as possible.

(b) The State Board of Education shall collaborate with the Board of Governors to create a template, which must include fiscal definitions and all sources of revenue, for use by each Florida College System institution in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the institution, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.70(1), during the prior year. Each Florida College System institution shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the State Board of Education's website.

(3) None of the funds made available in the Florida College System Program Fund, or funds made available to Florida College System institutions outside the Florida College System Program Fund, may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to, or involving, any of the following:

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(a) Travel to a terrorist state. For purposes of this paragraph, the term ~~section,~~ "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.32 and State Board of Education rule.

Section ~~20~~19. Subsections (4) and (6) of section 1011.90, Florida Statutes, are amended to read:

1011.90 State university funding.—

(4)(a) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request. Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the

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standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

(b) The Board of Governors shall collaborate with the State Board of Education in creating a template, which must include fiscal definitions and all sources of revenue, for use by each state university in creating a report on its sources of revenue. The report must detail all state and nonstate sources of revenue received by the state university, as well as by its auxiliary enterprises as defined in s. 1011.47 and its direct-support organizations as defined in s. 1004.28(1), during the prior year. Each state university shall submit the report by September 1 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Such report must also be published prominently on the Board of Governors' website.

(6) None of the state or nonstate funds made available to state universities may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of,

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activities related to or involving any of the following:

(a) Travel to a terrorist state. For purposes of this section, the term "terrorist state" means ~~is defined as~~ any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

(b) Discrimination against students or employees which is prohibited by s. 1000.05 or rules established pursuant to that section.

(c) Disruptive activities prohibited by s. 1012.80.

An allegation of noncompliance with the requirements of this subsection is subject to the investigatory, enforcement, and sanction provisions of s. 1008.322 and Board of Governors regulation.

Section ~~21~~20. Subsection (1) of section 1011.91, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1011.91 Additional appropriation.—

(1) Except as otherwise provided in the General Appropriations Act, all moneys received by universities, from student fees authorized in s. 1009.24, from federal sources, from private sources, and from vending machine collections, are hereby appropriated to the use of the respective universities collecting same, to be expended as the university board of trustees may approve ~~direct~~; however, the funds may ~~shall~~ not be expended except in pursuance of detailed budgets approved by ~~filed with~~ the Board of Governors and may ~~shall~~ not be expended for the construction or reconstruction of buildings except as provided under s. 1013.74.

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(4) The Chancellor of the State University System may monitor and periodically review university expenditures in accordance with detailed university budgets approved pursuant to this section.

Section ~~22~~21. Section 1012.80, Florida Statutes, is amended to read:

1012.80 Participation by employees in disruptive activities at public postsecondary educational institutions; penalties.—

(1)(a) Any person who accepts the privilege extended by the laws of this state of employment at any Florida College System institution shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the State Board of Education, and the laws of this state. Such policies must be adopted in accordance with State Board of Education rule and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at Florida College System institutions.

(b) Any person who accepts the privilege extended by the laws of this state of employment at any state university shall, by working at such institution, be deemed to have given his or her consent to the policies of that institution, the policies of the Board of Governors, and the laws of this state. Such policies must be adopted in accordance with Board of Governors regulation and must ~~shall~~ include prohibition against, and corresponding discretionary penalties for, participation in disruptive activities at state universities.

(2) If, after formal investigation conducted in accordance with s. 1008.32, s. 1008.322, or an applicable rule or

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regulation, it has been determined that an employee of a public postsecondary educational institution has participated in disruptive activities, the State Board of Education or the Board of Governors, as applicable, may enforce applicable personnel laws, rules, or regulations by applying authorized sanctions. The institution may, among other options, terminate the contract of the employee, and thereafter such person may ~~shall~~ not be employed by any state public school or public postsecondary educational institution.

(3) For purposes of this section, the meaning of the term "disruptive activities" shall be jointly developed and codified in rule and regulation by the State Board of Education and the Board of Governors, respectively.

Section ~~2322~~. Present subsection (3) of section 1012.886, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

(3) REPORT.—By August 1 of each year, the State Board of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each Florida College System institution's compliance with this section.

Section ~~2423~~. Present subsection (3) of section 1012.976, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

1012.976 Remuneration of state university employees; limitations.—

(3) REPORT.—By August 1 of each year, the Board of

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Governors shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each state university's compliance with this section.

Section ~~25~~24. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

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From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: a few changes....5-01564-22
Date: Monday, January 3, 2022 8:44:50 PM
Attachments: 5-01564-22 Campaign Finance Initiatives_revised 121621.docx

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edits are in red.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

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FL-GOV-22-0226_20-0378A-002272

once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

AMERICAN OVERSIGHT

for permanent residence.

Section 2. This act shall take effect July 1, 2022.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Subject:	a few changes....5-01564-22
Date:	Monday, January 3, 2022 8:44:50 PM
Attachments:	5-01564-22 Campaign Finance Initiatives revised 121621.docx

edits are in red.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01564-22

A bill to be entitled

An act relating to campaign finance; amending s. 106.08, F.S.; removing a provision that limits contributions to a political committee that opposes a constitutional amendment proposed by initiative; specifying entities subject to such limitation; prohibiting contributions by a foreign national and the acceptance of any such contribution in connection with any election held in this state; defining the term "foreign national"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and a new subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, a ~~no~~ person or political committee may not, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, $3,000. ~~or~~

2. To a political committee that is the sponsor of ~~or is in opposition to~~ a constitutional amendment proposed by initiative, $3,000. This limitation applies only to persons who are not residents of this state or to political committees that have not registered an office pursuant to this chapter using a street address located within this state. However, the limitation on contributions to such political committees no longer applies

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-002276

once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring ~~or opposing~~. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

3.~~2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, $1,000.

(12)(a) Pursuant to the requirements of 52 U.S.C. 30121 and 11 CFR 110.20, a foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held within this state.

(b) A candidate, a candidate committee, a political party, a political committee, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

(c) For purposes of this section, "foreign national" means:

1. A foreign government;

2. A foreign political party;

3. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;

4. An individual with foreign citizenship; or

5. An individual who is not a citizen or national of the United States and is not admitted lawfully to the United States

AMERICAN OVERSIGHT

for permanent residence.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"; "Heffley, Katelyn"
Cc: Burdette,Brenda
Subject: bill drafting - santa rosa Bridge Authority
Date: Wednesday, December 1, 2021 3:57:26 PM
Attachments: 2022 SRBBA.docx

Please put in bill drafting.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to transportation, transferring control of the Santa Rosa Bay Bridge Authority system to the Florida Department of Transportation; transferring all assets, rights, powers, duties, and bond liabilities of the authority to the department; transferring all provisions that protect the rights of certain bondholders from the authority to the department; authorizing the use of department funds to acquire, redeem, defease or refinance outstanding bonds of the authority; authorizing transfer of the bridge system to Florida's Turnpike Enterprise; authorizing the use of turnpike revenues and issuance of turnpike revenue bonds to acquire, redeem, defease or refinance outstanding bonds of the authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Santa Rosa Bay Bridge Authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Transfer to the Florida Department of Transportation.— The governance and control of the Santa Rosa Bay Bridge Authority is transferred to the Florida Department of Transportation.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the authority, including the bridge system operated by the authority, are transferred to the department. All powers of the authority shall succeed to the department, and the operations and maintenance of the bridge system shall be under the control of the department, pursuant to this section. The department also assumes all liability for bonds of the bridge authority pursuant to the provisions of subsection (2). The

AMERICAN OVERSIGHT

department may review other contracts, financial obligations, and contractual obligations and liabilities of the authority and may assume legal liability for such obligations that are determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided for the protection of the holders of the Santa Rosa Bay Bridge Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the department shall operate and maintain the bridge system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The department shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds and shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the department or pledge department revenues to payment of the bonds. Revenues that are generated by the bridge system and other facilities of the authority and that were pledged by the authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the bridge system from sources other than revenues of the bridge system.

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(3) The department is authorized to purchase, redeem, defease, or otherwise refinance outstanding authority bonds. The department may utilize any department funds appropriated for such purpose. Upon acquisition, redemption, defeasance or other refinancing of all the outstanding authority bonds, revenues of the bridge system and other facilities of the authority shall be department revenues free and clear of the prior pledge for the benefit of the authority's bondholders and the lease-purchase agreement securing the authority bonds, and all obligations of the department under the lease-purchase agreement shall be terminated. Upon the acquisition, redemption, defeasance or refinancing of all the outstanding authority bonds, the accumulated long-term debt due to the department for the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system shall be deemed to be costs of operation and maintenance of a department-owned toll facility paid from moneys in the State Transportation Trust Fund. In connection with or following refinancing or payment of the outstanding bonds of the authority, the bridge system may be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, in which event the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and revenues collected on the bridge system shall be considered turnpike revenues.

(4) As directed by chapter 2017-42, section 7, Laws of Florida, the department has conducted a feasibility study relating to the acquisition of the Santa Rosa Bay Bridge which satisfies the definition and required determination of economic feasibility in ss. 338.221(8) and 338.223. In addition to the provisions of subsection (3), the department is authorized to

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purchase, redeem, defease, or otherwise refinance outstanding authority bonds using turnpike revenues lawfully available for such purpose remaining after payment of all amounts required under the terms of any resolution under which turnpike system revenue bonds have been issued. Pursuant to section 11(f), Art. VII of the State Constitution, the issuance of turnpike system revenue bonds to finance the department's acquisition, redemption, defeasance or refinancing of outstanding authority bonds is also approved. If turnpike revenues or turnpike bond proceeds are used to acquire or refund the outstanding authority bonds, the bridge system shall be transferred by the department and become part of the turnpike system under the Florida Turnpike Enterprise Law, the turnpike enterprise shall operate and maintain the bridge system and other facilities of the authority as part of the turnpike system in accordance with the Florida Turnpike Enterprise Law and the terms and conditions of any turnpike bonds issued to refund the outstanding authority bonds, and revenues collected on the bridge system shall be considered turnpike revenues.

(5) The powers conferred by this section shall be in addition and supplemental to the existing powers of the department and the turnpike, including s. 338.2275. This section shall not be construed as repealing any of the provisions of any other law, general, special, or local; or to supersede, repeal, rescind, or modify any other law or laws relating to the department, the State Board of Administration, or the Florida Turnpike Enterprise Law, ss. 338.22-338.241; but shall supersede such other law or laws as are inconsistent with the provisions of this section.

Section 2. Part IV of chapter 348, Florida Statutes, consisting of ss. 348.965, 348.966, 348.967, 348.968, 348.969, 348.97, 348.971, 348.972, 348.973, 348.974, 348.9751, 348.9761,

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348.9771, and 348.9781, is repealed.

Section 3. This act shall take effect upon becoming law.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	edits to Bill Draft 1484
Date:	Tuesday, January 4, 2022 2:51:07 PM
Attachments:	UPDATED S Feedback - Draft 01484 FHSAA - 1.4.22.docx

---

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

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from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law~~this section~~. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a

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member of the FHSAA. Any high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all

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students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity

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sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members

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~~persons~~, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are

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as follows:

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

~~2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~3~~. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

~~4.~~3. To vest with the ~~employ an~~ FHSAA executive director~~,~~ ~~who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

~~5.~~4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

~~6.~~5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

~~7.~~6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

~~8.~~7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the

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FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(6)~~(5)~~ REPRESENTATIVE ASSEMBLY.-

(a) The legislative authority of the FHSAA is vested in its representative assembly.

(b) The representative assembly shall be composed of the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

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(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(7)~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8)~~(7)~~ APPEALS.-

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A

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FL-GOV-22-0226, 20-0378-A-002294

member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made

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FL-GOV-22-0226, 20-0378-A-002295

by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

~~(9) REPEAL. In accordance with s. 20.058(5), this section is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.~~

Section 2. This act shall take effect July 1, 2022.

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FL-GOV-22-0226, 20-0378-A-002296

AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	edits to Bill Draft 1484
Date:	Tuesday, January 4, 2022 2:51:07 PM
Attachments:	UPDATED S Feedback - Draft 01484 FHSAA - 1.4.22.docx

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

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from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law~~this section~~. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a

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member of the FHSAA. Any high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all

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students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity

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sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members

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~~persons~~, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are

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as follows:

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

~~2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~3~~. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

~~4.~~3. To vest with the ~~employ an~~ FHSAA executive director~~,~~ ~~who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

~~5.~~4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

~~6.~~5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

~~7.~~6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

~~8.~~7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the

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FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(6)~~(5)~~ REPRESENTATIVE ASSEMBLY.-

(a) The legislative authority of the FHSAA is vested in its representative assembly.

(b) The representative assembly shall be composed of the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

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(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(7)~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8)~~(7)~~ APPEALS.-

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A

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member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made

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by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

~~(9) REPEAL. In accordance with s. 20.058(5), this section is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.~~

Section 2. This act shall take effect July 1, 2022.

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From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: edits to Bill Draft 1484
Date: Tuesday, January 4, 2022 2:51:15 PM
Attachments: UPDATED S Feedback - Draft 01484 FHSAA - 1.4.22.docx

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Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01484-22

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; reclassifying the FHSAA as a nonprofit direct-support organization of the Department of Education; authorizing the Commissioner of Education to dissolve some or all of the board of directors of the FHSAA under certain circumstances; requiring the FHSAA's bylaws to be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner; authorizing the commissioner to direct the FHSAA to consider revisions to its bylaws; removing the current representative assembly from the FHSAA; providing that the legislative authority of the FHSAA is vested in its board of directors, which shall act as a representative assembly; revising the manner in which the FHSAA's board of directors is appointed; revising the authority and duties of the FHSAA's board of directors; requiring the budget of the FHSAA to be reviewed for approval by the state board; requiring the commissioner to hire the FHSAA's executive director and professional staff; requiring the commissioner to hire the executive director with certain input from the FHSAA's board of directors; providing that the commissioner maintains the final discretion over the executive director's employment; conforming provisions to changes made by the act; providing for future repeal unless reviewed and saved

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from repeal by the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), paragraphs (a) and (f) of subsection (2), paragraph (c) of subsection (3), paragraphs (a) and (e) of subsection (4), subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit direct-support organization of the Department of Education which promotes, directs, supervises, and regulates ~~of~~ athletics in Florida public schools under the direction of the State Board of Education and the Commissioner of Education. If the FHSAA fails to meet the provisions of this section, the commissioner may dissolve some or all of the board of directors of the FHSAA ~~shall designate a nonprofit organization to govern athletics~~ with the approval of the State Board of Education upon a recommendation to the state board by the commissioner and a finding by the state board that the FHSAA board of directors has not complied with Florida law~~this section~~. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a

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member of the FHSAA. Any high school in this ~~the~~ state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport and may not discourage a private school from simultaneously maintaining membership in another athletic association. The FHSAA may allow a public school the option to apply for consideration to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(a) The FHSAA shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all

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students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer must ~~shall~~ allow the student to be immediately eligible in the school in which he or she first enrolls each school year or the school in which the student makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in the school. The bylaws must ~~shall~~ also allow the student to be immediately eligible in the school to which the student has transferred. The student is ~~shall be~~ eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility must ~~shall~~ be determined and enforced through the FHSAA's bylaws. Requirements governing eligibility and transfer between member schools must ~~shall~~ be applied similarly to public school students and private school students. The FHSAA's bylaws must be reviewed for approval at least annually by the State Board of Education or upon the recommendation of the commissioner. The commissioner may direct the FHSAA to consider revisions to its bylaws at any time.

(f) The FHSAA shall adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.

1. Major violations include, but are not limited to, knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest or committing a violation of the FHSAA's recruiting or sportsmanship policies.

2. Sanctions placed upon an individual coach may include, but are not limited to, prohibiting or suspending the coach from coaching, participating in, or attending any athletic activity

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sponsored, recognized, or sanctioned by the FHSAA and the member school for which the coach committed the violation. If a coach is sanctioned by the FHSAA and the coach transfers to another member school, those sanctions remain in full force and effect during the term of the sanction.

3. If a member school is assessed a financial penalty as a result of a coach committing a major violation, the coach must ~~shall~~ reimburse the member school before being allowed to coach, participate in, or attend any athletic activity sponsored, recognized, or sanctioned by the FHSAA and a member school.

4. The FHSAA shall establish a due process procedure for coaches sanctioned under this paragraph, consistent with the appeals procedures set forth in subsection (8) ~~(7)~~.

(3) GOVERNING STRUCTURE OF THE FHSAA.—

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors~~, representative assembly,~~ and appeals committees.

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is ~~shall be~~ vested in its board of directors, which shall act as a representative assembly. Any entity that appoints members to the board of directors shall examine the ethnic and demographic composition of the board when selecting candidates for appointment and shall, to the greatest extent possible, make appointments that reflect state demographic and population trends. The board of directors shall be composed of 16 members

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~~persons~~, as follows:

1. Four public member school representatives appointed by the Governor, one ~~elected~~ from ~~among its public school representative members~~ within each of the four administrative regions.

2. Four nonpublic member school representatives appointed by the Governor, one ~~elected~~ from ~~among its nonpublic school representative members~~ within each of the four administrative regions.

3. Three representatives appointed by the Governor ~~commissioner~~, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions. The third representative shall be appointed to balance the board for diversity or state population trends, or both.

4. Two district school superintendents appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

5. Two district school board members appointed by the Governor, one ~~elected~~ from the two northernmost administrative regions ~~by the members in those regions~~ and one ~~elected~~ from the two southernmost administrative regions ~~by the members in those regions~~.

6. The commissioner or his or her designee from the department executive staff.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the FHSAA's bylaws, are

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as follows:

1. To act as the incorporated FHSAA's board of directors and to fulfill its obligations as required by the FHSAA's charter and articles of incorporation.

~~2. To consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.~~

~~3~~. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.

~~4.~~3. To vest with the ~~employ an~~ FHSAA executive director~~,~~ ~~who shall have~~ the authority to waive the bylaws of the FHSAA in order to comply with statutory changes.

~~5.~~4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the FHSAA.

~~6.~~5. To approve the budget of the FHSAA, which must subsequently be reviewed for approval by the State Board of Education.

~~7.~~6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

~~8.~~7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) FHSAA EXECUTIVE DIRECTOR AND STAFF ~~REPRESENTATIVE ASSEMBLY~~.—The commissioner shall hire the FHSAA's executive director and professional staff, who shall be employed as employees of the State Board of Education. The commissioner shall hire the FHSAA's executive director with input from the

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FHSAA board of directors, which is encouraged to consider and interview candidates for executive director and subsequently provide the commissioner with input and recommendations. However, the commissioner maintains the final discretion over the executive director's employment

(6)~~(5)~~ REPRESENTATIVE ASSEMBLY.-

(a) The legislative authority of the FHSAA is vested in its representative assembly.

(b) The representative assembly shall be composed of the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The FHSAA's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

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(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the FHSAA's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(7)~~(6)~~ PUBLIC LIAISON ADVISORY COMMITTEE.—

(b) No member of the board of directors or the~~,~~ committee on appeals~~, or representative assembly~~ is eligible to serve on the public liaison advisory committee.

(8)~~(7)~~ APPEALS.-

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A

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member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made

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by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(9)~~(8)~~ AMENDMENT OF BYLAWS.—Each member school representative, the board of directors acting as a whole or as members acting individually, any advisory committee acting as a whole to be established by the FHSAA, the commissioner, and the FHSAA's executive director are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the board of directors ~~representative assembly~~ for its consideration. ~~The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.~~

~~(9) REPEAL. In accordance with s. 20.058(5), this section is repealed October 1, 2027, unless reviewed and saved from repeal by the Legislature.~~

Section 2. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Shays, Tonya
Subject: immigration draft
Date: Monday, January 3, 2022 5:51:37 PM

5-011386-22
Have you received this draft back?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Shays, Tonya
Subject: immigration draft
Date: Monday, January 3, 2022 5:51:37 PM

5-011386-22
Have you received this draft back?
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: small change in 5-01423-22
Date: Monday, January 3, 2022 8:50:35 PM
Attachments: 5-01423-22 DOAH attorney fees (RT edits).docx

---

we make a small change in the attached draft

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

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FL-GOV-22-0226_20-0378A-002324

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-002326

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Cc:	Burdette,Brenda
Subject:	small change in 5-01423-22
Date:	Monday, January 3, 2022 8:50:35 PM
Attachments:	5-01423-22 DOAH attorney fees (RT edits).docx

---

we make a small change in the attached draft

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-002328

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Shays, Tonya
Cc: Burdette,Brenda
Subject: small change in 5-01423-22
Date: Monday, January 3, 2022 8:50:43 PM
Attachments: 5-01423-22 DOAH attorney fees (RT edits).docx

---

we make a small change in the attached draft

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

5-01423-22

A bill to be entitled

An act relating to attorney fees in administrative actions; amending s. 120.595, F.S.; revising the limit on attorney fees awarded to a prevailing party in certain challenges to proposed agency rules, existing agency rules, and unadopted rules to include consolidated cases and multiple parties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (3) and paragraph (b) of subsection (4) of section 120.595, Florida Statutes, are amended to read:

120.595 Attorney's fees.—

(2) CHALLENGES TO PROPOSED AGENCY RULES PURSUANT TO SECTION 120.56(2).—If the appellate court or administrative law judge declares a proposed rule or portion of a proposed rule invalid pursuant to s. 120.56(2), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-002332

party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(3) CHALLENGES TO EXISTING AGENCY RULES PURSUANT TO SECTION 120.56(3) AND (5).—If the appellate court or administrative law judge declares a rule or portion of a rule invalid pursuant to s. 120.56(3) or (5), a judgment or order shall be rendered against the agency for reasonable costs and reasonable attorney ~~attorney's~~ fees, unless the agency demonstrates that its actions were substantially justified or special circumstances exist which would make the award unjust. An agency's actions are "substantially justified" if there was a reasonable basis in law and fact at the time the actions were taken by the agency. If the agency prevails in the proceedings, the appellate court or administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees against a party if the appellate court or administrative law judge determines that a party participated in the proceedings for an improper purpose as defined by paragraph (1)(e). An ~~no~~ award of attorney ~~attorney's~~ fees as provided by this subsection may not ~~shall~~ exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

(4) CHALLENGES TO AGENCY ACTION PURSUANT TO SECTION 120.56(4).—

(b) Upon notification to the administrative law judge

AMERICAN OVERSIGHT

provided before the final hearing that the agency has published a notice of rulemaking under s. 120.54(3)(a), such notice shall automatically operate as a stay of proceedings pending rulemaking. The administrative law judge may vacate the stay for good cause shown. A stay of proceedings under this paragraph remains in effect so long as the agency is proceeding expeditiously and in good faith to adopt the statement as a rule. The administrative law judge shall award reasonable costs and reasonable attorney ~~attorney's~~ fees accrued by the petitioner before ~~prior to~~ the date the notice was published, unless the agency proves to the administrative law judge that it did not know and should not have known that the statement was an unadopted rule. Attorney ~~attorneys'~~ fees and costs under this paragraph and paragraph (a) shall be awarded only upon a finding that the agency received notice that the statement may constitute an unadopted rule at least 30 days before a petition under s. 120.56(4) was filed and that the agency failed to publish the required notice of rulemaking pursuant to s. 120.54(3) that addresses the statement within that 30-day period. Notice to the agency may be satisfied by its receipt of a copy of the s. 120.56(4) petition, a notice or other paper containing substantially the same information, or a petition filed pursuant to s. 120.54(7). An award of attorney ~~attorney's~~ fees as provided by this paragraph may not exceed $50,000 against any party or against the agency, even if multiple proceedings are consolidated ~~and~~ or multiple parties are entitled to fees against the same nonprevailing party or agency.

Section 2. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-002334

From:	Kopelousos, Stephanie
To:	"Shays, Tonya"
Bcc:	Burdette,Brenda
Subject:	surfside
Date:	Tuesday, November 30, 2021 9:18:30 PM
Attachments:	Conforming Bill - Property Tax Abatement 2022.docx

Tonya,
Can you please put this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.3181, F.S.; providing for tax abatement for residential improvements following destruction caused by sudden collapse; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.3181, Florida Statutes, is created to read:

197.3181 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Damage differential" means the percent change in value.

(b) "Disaster relief credit" means the product arrived at by multiplying the damage differential by the amount of timely paid taxes that were initially levied in the year the destruction occurred.

(c) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order.

(d) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(e) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(f) "Residential improvement" means a multistory residential building comprising of at least 5o dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order during the 2021 calendar year, taxes initially levied in 2021 shall be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application shall identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

(c) The application shall be verified under oath and is subject to penalty of perjury.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002337

(d) Upon receipt of the application, the property appraiser shall investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser shall issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the damage differential and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002338

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that will occur pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

Section 2. This act shall take effect upon becoming law.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Shays, Tonya
Bcc:	Burdette,Brenda
Subject:	surfside
Date:	Tuesday, November 30, 2021 9:18:27 PM
Attachments:	Conforming Bill - Property Tax Abatement 2022.docx

Tonya,
Can you please put this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.3181, F.S.; providing for tax abatement for residential improvements following destruction caused by sudden collapse; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.3181, Florida Statutes, is created to read:

197.3181 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Damage differential" means the percent change in value.

(b) "Disaster relief credit" means the product arrived at by multiplying the damage differential by the amount of timely paid taxes that were initially levied in the year the destruction occurred.

(c) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order.

(d) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(e) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(f) "Residential improvement" means a multistory residential building comprising of at least 5o dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order during the 2021 calendar year, taxes initially levied in 2021 shall be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application shall identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

(c) The application shall be verified under oath and is subject to penalty of perjury.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002342

(d) Upon receipt of the application, the property appraiser shall investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser shall issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the damage differential and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002343

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that will occur pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

Section 2. This act shall take effect upon becoming law.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Shays, Tonya"
Subject: surfside
Date: Tuesday, November 30, 2021 9:18:31 PM
Attachments: Conforming Bill - Property Tax Abatement 2022.docx

---

Tonya,
Can you please put this in bill drafting

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to ad valorem tax abatement; creating s. 197.3181, F.S.; providing for tax abatement for residential improvements following destruction caused by sudden collapse; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 197.3181, Florida Statutes, is created to read:

197.3181 Abatement of taxes for residential improvements following a destruction caused by a sudden collapse.—

(1) As used in this section, the term:

(a) "Damage differential" means the percent change in value.

(b) "Disaster relief credit" means the product arrived at by multiplying the damage differential by the amount of timely paid taxes that were initially levied in the year the destruction occurred.

(c) "Destruction" means the immediate demolition of a building caused by a sudden and unforeseen collapse and the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order.

(d) "Percent change in value" means the difference between a residential parcel's just value as of January 1 of the year in which the destruction occurred and its postdisaster just value

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

expressed as a percentage of the parcel's just value as of January 1 of the year in which the destruction occurred.

(e) "Postdisaster just value" means the just value of the residential parcel on January 1 of the year in which the destruction occurred, reduced to reflect the just value of the residential improvement as provided in subsection (5) as a result of the destruction. Postdisaster just value is determined only for purposes of calculating tax abatements under this section and does not determine a parcel's just value as of January 1 each year.

(f) "Residential improvement" means a multistory residential building comprising of at least 5o dwelling units.

(2) If a residential improvement located in a county as defined in s. 125.011(1) is destroyed following a sudden and unforeseen collapse or the subsequent demolition of remaining sections of the building deemed dangerously unstable pursuant to a governor emergency order during the 2021 calendar year, taxes initially levied in 2021 shall be abated in the following manner:

(a) The property owner must file an application with the property appraiser no later than May 1, 2022. A property owner who fails to file an application by May 1, 2022, waives a claim for abatement of taxes under this section.

(b) The application shall identify the residential parcel on which the residential improvement was destroyed and the date the destruction occurred.

(c) The application shall be verified under oath and is subject to penalty of perjury.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002347

(d) Upon receipt of the application, the property appraiser shall investigate the statements contained in the application to determine if the applicant is entitled to an abatement of taxes. If the property appraiser determines that the applicant is not entitled to an abatement, the applicant may file a petition with the value adjustment board, pursuant to s. 194.011(3), requesting that the abatement be granted. If the property appraiser determines that the applicant is entitled to an abatement, the property appraiser shall issue an official written statement to the tax collector by June 1, 2022, which provides:

1. The just value of the residential parcel as determined by the property appraiser on January 1 of the year in which the destruction for which the applicant is claiming an abatement occurred.

2. The post-destruction just value of the residential parcel as determined by the property appraiser.

3. The percent change in value applicable to the residential parcel.

(3) Upon receipt of the written statement from the property appraiser, the tax collector shall calculate the damage differential and disaster relief credit pursuant to this section and process a refund in an amount equal to the disaster relief credit.

(4) No later than July 1, 2022, the tax collector shall notify:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002348

(a) The department of the total reduction in taxes for all properties that qualified for an abatement pursuant to this section.

(b) The governing board of each affected local government of the reduction in such local government's taxes that will occur pursuant to this section.

(5) For purposes of this section, residential improvements that are uninhabitable shall have no value placed thereon.

Section 2. This act shall take effect upon becoming law.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Bradley.Jennifer
Subject: tomorrow
Date: Thursday, January 6, 2022 1:06:14 PM

Arrival time ---- 9:45 or 10:00 am

10:15-11:00am **PRESS CONFERENCE**

Location: Union County Board of County Commissioners

Address: 15 Northeast 1st Street, Lake Butler, FL 32054

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: Bradley.Jennifer
Subject: tomorrow
Date: Thursday, January 6, 2022 1:06:14 PM

Arrival time ---- 9:45 or 10:00 am

10:15-11:00am **PRESS CONFERENCE**

Location: Union County Board of County Commissioners

Address: 15 Northeast 1st Street, Lake Butler, FL 32054

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	alexander.dee@flsenate.gov
Cc:	Burdette,Brenda
Subject:	Bill Drafting...Health care
Date:	Wednesday, December 1, 2021 8:08:10 AM
Attachments:	Transparency Bill.docx

Can you please put in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to health care; amending s. 408.062; provides for prescription price transparency; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062-Research, analyses, studies and reports

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the ~~300~~ 500 most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data shall be reported for the generic drug and price data of a brand-named drug for which the generic drug is the equivalent shall be reported. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The data collected shall be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Updated: 4/22/2022 10:46 AM

DRAFT

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002353

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: Bill Drafting...Health care
Date: Wednesday, December 1, 2021 8:08:14 AM
Attachments: Transparency Bill.docx

Can you please put in bill drafting.
Thanks,
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850-717-9320
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AMERICAN OVERSIGHT

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Section 2. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Updated: 4/22/2022 10:47 AM

DRAFT

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002355

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; 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"Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 14, 2022

Date: Monday, March 14, 2022 5:16:00 PM

The Governor's Office received the following bills today:

CS/SB 520 – Public Records and Public Meetings

AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

The Governor has until March 29, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
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jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; 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polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov

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Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 31, 2022
Date: Thursday, March 31, 2022 3:41:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

The Governor has until April 15, 2022 to act on this bill.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Kopelousos, Stephanie
Bcc:	Tom.Hamby@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; Michelle.Davila@myfloridahouse.gov; Christa.Calamas@myfloridahouse.gov; Hassell, Joanna; Eric.Pridgeon@laspbs.state.fl.us; Kurt.Hamon@myfloridahouse.gov; Leda.Kelly@myfloridahouse.gov; Stephanie.Birtman@myfloridahouse.gov; Heather.Williamson@myfloridahouse.gov; Sarkissian, Jenna; Trina.Kramer@myfloridahouse.gov; Mackintosh.Andrew@flsenate.gov; yeatman.tom@flsenate.gov; betta.katherine@flsenate.gov; meyer.reynold@flsenate.gov; Letarte.Christie@flsenate.gov; Mizereck, Kathy; cleary.allie@flsenate.gov; Tim.Sadberry@laspbs.state.fl.us; Ferrin.Jay@flsenate.gov; Bouck.Matthew@flsenate.gov; Brown.Allen@flsenate.gov; Roberts.Dawn@flsenate.gov
Subject:	Invite - State of the State Reception 2022
Date:	Monday, January 10, 2022 8:48:38 PM
Attachments:	Invite - State of the State Reception 2022.pdf

The Governor and First Lady of the State of Florida

are looking forward to hosting you at

The State of the State Reception

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida
On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please RSVP to Stephanie.Kopelousos@eog.myflorida.com or call me on my cell at 850-510-6613.

AMERICAN OVERSIGHT

The Governor and First Lady of the State of Florida

are looking forward to hosting you at

The State of the State Reception

to be held at

The Governor's Mansion
700 North Adams Street
Tallahassee, Florida

On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

Please follow R.S.V.P. directions
in the email invitation
Invitation is non-transferable

There is no charge to attend this event. For those guests who are required under applicable lobbying or gift laws to pay for food or beverage consumed at the reception, the cost is $20 per guest. Payment must be made prior to the event in the form of a check made payable to "Governor's Mansion Auxiliary" and mailed to: Governor's Mansion Auxiliary, 700 N. Adams Street, Tallahassee, Florida 32303

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002363

From:	Kopelousos, Stephanie
To:	Kopelousos, Stephanie
Bcc:	"Tom.Hamby@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "Michelle.Davila@myfloridahouse.gov"; "Christa.Calamas@myfloridahouse.gov"; Hassell, Joanna; "Eric.Pridgeon@laspbs.state.fl.us"; "Kurt.Hamon@myfloridahouse.gov"; "Leda.Kelly@myfloridahouse.gov"; "Stephanie.Birtman@myfloridahouse.gov"; "Heather.Williamson@myfloridahouse.gov"; Sarkissian, Jenna; "Trina.Kramer@myfloridahouse.gov"; "Mackintosh.Andrew@flsenate.gov"; "yeatman.tom@flsenate.gov"; "betta.katherine@flsenate.gov"; "meyer.reynold@flsenate.gov"; "Letarte.Christie@flsenate.gov"; Mizereck, Kathy; "cleary.allie@flsenate.gov"; "Tim.Sadberry@laspbs.state.fl.us"; "Ferrin.Jay@flsenate.gov"; "Bouck.Matthew@flsenate.gov"; "Brown.Allen@flsenate.gov"; "Roberts.Dawn@flsenate.gov"
Subject:	Invite - State of the State Reception 2022
Date:	Monday, January 10, 2022 8:48:38 PM
Attachments:	Invite - State of the State Reception 2022.pdf

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700 North Adams Street
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Please RSVP to Stephanie.Kopelousos@eog.myflorida.com or call me on my cell at 850-510-6613.

AMERICAN OVERSIGHT

The Governor and First Lady of the State of Florida

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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002365

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	alexander.dee@flsenate.gov
Cc:	Burdette,Brenda
Subject:	bill Drafting Law Enforcement
Date:	Wednesday, December 1, 2021 8:22:35 AM
Attachments:	Law Enforcement - Bill Draft.docx

Can you also put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to law enforcement; amending s. 784.049, F.S.; enumerating electronic platforms used in the commission of criminal sexual cyberharassment; amending s. 787.07; requiring the Criminal Justice Standards and Training Commission to establish specified training for human smuggling; providing criminal penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended to read:

(c) "Sexually cyberharass" means to publish to any ~~an~~ social networking service or Internet website, including to any electronic application or internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

Section 2. Subsection (3) and (4) are added to section 787.07, Florida Statutes, to read:

(1) A person who transports into this state an individual

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002367

who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of this section.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

(4) The degree of an offense shall be reclassified as follows if a person causes great bodily harm, permanent disability, or permanent disfigurement to another person during the commission of an offense under this section shall be reclassified as a felony of the second degree.

Section 3. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: bill Drafting Law Enforcement
Date: Wednesday, December 1, 2021 8:22:38 AM
Attachments: Law Enforcement - Bill Draft.docx

Can you also put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to law enforcement; amending s. 784.049, F.S.; enumerating electronic platforms used in the commission of criminal sexual cyberharassment; amending s. 787.07; requiring the Criminal Justice Standards and Training Commission to establish specified training for human smuggling; providing criminal penalties; providing an effective date.

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Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended to read:

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Section 2. Subsection (3) and (4) are added to section 787.07, Florida Statutes, to read:

(1) A person who transports into this state an individual

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of this section.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

(4) The degree of an offense shall be reclassified as follows if a person causes great bodily harm, permanent disability, or permanent disfigurement to another person during the commission of an offense under this section shall be reclassified as a felony of the second degree.

Section 3. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	alexander.dee@flsenate.gov
Cc:	Burdette,Brenda
Subject:	bill drafting.state attorney
Date:	Wednesday, December 1, 2021 8:26:37 AM
Attachments:	State attorney bill format 11-17-21 - sck.docx

---

can you also put his in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the duties of state attorneys; amending s. 27.14, F.S.; providing neglect of duty as a qualification for removal; creating s. 112.39, F.S.; requiring state attorneys to provide documentation upon request of the Governor; authorizing the Governor to suspend state attorneys due to dereliction of duty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), (2), and (3) of section 27.14, Florida Statutes, are amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, including but not limited to neglect of duty of such state attorney, the Governor determines that the ends of justice would be best served, the Governor may, by executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002373

issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

(2) If the statewide prosecutor in charge of the Office of Statewide Prosecution determines that he or she is not qualified to represent the state in any investigation, case, or matter pending in the courts of the state or if a court of competent jurisdiction disqualifies him or her from representing the state, the Governor may, by executive order filed with the Department of State, order an assignment of any state attorney to discharge the duties of such prosecutor with respect to one or more specified investigations, cases, or matters, generally described in the order. The assignment of any state attorney shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such assignment.

(3) Whenever a state attorney is exchanged or assigned, he or she may designate one or more of his or her assistant state attorneys and state attorney investigators to perform the duties assigned under the executive order.

Section 2. Creating section 112.39, Florida statutes, to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing their subordinates to make, case-specific determinations as to whether the facts of each case in their circuit justify prosecution, and

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case where an arrest was made and prosecution was not sought or information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type or class of case, including but not limited to the penalty phase of death penalty eligible cases, shall be evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including but not limited to the failure of such state attorney to exercise prosecutorial discretion by failing to make, or failing to direct their subordinates to make, a case-specific determination as to whether the facts of each case in their circuit justify prosecution as stated herein, or the failure of such state attorney, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination as described above.

Section 3. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002375

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: bill drafting.state attorney
Date: Wednesday, December 1, 2021 8:26:40 AM
Attachments: State attorney bill format 11-17-21 - sck.docx

---

can you also put his in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the duties of state attorneys; amending s. 27.14, F.S.; providing neglect of duty as a qualification for removal; creating s. 112.39, F.S.; requiring state attorneys to provide documentation upon request of the Governor; authorizing the Governor to suspend state attorneys due to dereliction of duty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), (2), and (3) of section 27.14, Florida Statutes, are amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, including but not limited to neglect of duty of such state attorney, the Governor determines that the ends of justice would be best served, the Governor may, by executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002377

issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

(2) If the statewide prosecutor in charge of the Office of Statewide Prosecution determines that he or she is not qualified to represent the state in any investigation, case, or matter pending in the courts of the state or if a court of competent jurisdiction disqualifies him or her from representing the state, the Governor may, by executive order filed with the Department of State, order an assignment of any state attorney to discharge the duties of such prosecutor with respect to one or more specified investigations, cases, or matters, generally described in the order. The assignment of any state attorney shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such assignment.

(3) Whenever a state attorney is exchanged or assigned, he or she may designate one or more of his or her assistant state attorneys and state attorney investigators to perform the duties assigned under the executive order.

Section 2. Creating section 112.39, Florida statutes, to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing their subordinates to make, case-specific determinations as to whether the facts of each case in their circuit justify prosecution, and

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case where an arrest was made and prosecution was not sought or information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type or class of case, including but not limited to the penalty phase of death penalty eligible cases, shall be evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including but not limited to the failure of such state attorney to exercise prosecutorial discretion by failing to make, or failing to direct their subordinates to make, a case-specific determination as to whether the facts of each case in their circuit justify prosecution as stated herein, or the failure of such state attorney, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination as described above.

Section 3. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002379

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Dee Alexander
Cc:	Burdette,Brenda
Subject:	4-01453-22 - Fuel Tax
Date:	Tuesday, January 4, 2022 7:52:19 AM
Attachments:	Fuel Tax Holiday_Markup_S.docx

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on ~~October~~ July 1, 2022, through 11:59 p.m. on ~~October 31~~ November 30, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

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FL-GOV-22-0226, 20-0378-A-002382

AMERICAN OVERSIGHT

of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002383

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002384

crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002385

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002386

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. By January 15, 2023, the Department of Revenue shall calculate the number of gallons sold at the reduced tax and shall determine the amount of taxes not collected under s.206.41(1)(b), Florida Statutes, s.206.41(1)(c), Florida Statutes, s.206.41(1)(f), Florida Statutes, and s.206.41(1)(g), Florida Statutes.

Section ~~11~~12. For the ~~2022-2023~~2021-22 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for ~~and~~ administering this act. The unexpended balance of funds of this appropriation remaining on June 30, 2022, shall revert and is appropriated for Fiscal Year 2022-23 for the same purpose.

Section ~~12~~13. For the 2022-2023 fiscal year, the following nonoperating transfers from the General Revenue Fund are authorized:

~~(1) The sum of $135 million may be transferred from the~~

Commented [SS4]: Requester: Should this be a requirement instead of authorization? (i.e., "funds shall be transferred" instead of "transfers are authorized"?)

It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002387

~~General Revenue Fund into the State Transportation Trust Fund.~~

~~(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.~~

~~(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.~~

~~(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.~~

(1) The sum of no more than $665 million is authorized to be transferred into the State Transportation Trust Fund;

Transfers of $133 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $133 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(g) as required in section 12 less $532 million.

(2) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

Commented [SS7]: Requester: same

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002388

have been collected under s. 206(41)(1)(b) as required in section 12 less $36 million.

(3) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(c) as required in section 12 less $36 million.

(4) The sum of no more than $365 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608;

Transfers of $73 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $73 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(f) as required in section 12 less $292 million.

Section ~~13~~14. This act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002389

From: Kopelousos, Stephanie
To: Dee Alexander
Cc: Burdette,Brenda
Subject: 4-01453-22 - Fuel Tax
Date: Tuesday, January 4, 2022 7:50:41 AM
Attachments: Fuel Tax Holiday_Markup_S.docx

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel

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AMERICAN OVERSIGHT

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on ~~October~~ July 1, 2022, through 11:59 p.m. on ~~October 31~~ November 30, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

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FL-GOV-22-0226, 20-0378-A-002392

AMERICAN OVERSIGHT

of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002393

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002394

crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002395

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002396

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. By January 15, 2023, the Department of Revenue shall calculate the number of gallons sold at the reduced tax and shall determine the amount of taxes not collected under s.206.41(1)(b), Florida Statutes, s.206.41(1)(c), Florida Statutes, s.206.41(1)(f), Florida Statutes, and s.206.41(1)(g), Florida Statutes.

Section ~~11~~12. For the ~~2022-2023~~2021-22 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for ~~and~~ administering this act. The unexpended balance of funds of this appropriation remaining on June 30, 2022, shall revert and is appropriated for Fiscal Year 2022-23 for the same purpose.

Section ~~12~~13. For the 2022-2023 fiscal year, the following nonoperating transfers from the General Revenue Fund are authorized:

~~(1) The sum of $135 million may be transferred from the~~

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It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002397

~~General Revenue Fund into the State Transportation Trust Fund.~~

~~(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.~~

~~(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.~~

~~(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.~~

(1) The sum of no more than $665 million is authorized to be transferred into the State Transportation Trust Fund;

Transfers of $133 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $133 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(g) as required in section 12 less $532 million.

(2) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

Commented [SS7]: Requester: same

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002398

have been collected under s. 206(41)(1)(b) as required in section 12 less $36 million.

(3) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

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(4) The sum of no more than $365 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608;

Transfers of $73 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $73 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(f) as required in section 12 less $292 million.

Section ~~13~~14. This act shall take effect upon becoming a law.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002399

From: Kopelousos, Stephanie
To: Dee Alexander
Cc: Burdette,Brenda
Subject: 4-01453-22 - Fuel Tax
Date: Tuesday, January 4, 2022 7:52:19 AM
Attachments: Fuel Tax Holiday_Markup_S.docx

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

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Section 1. This act may be cited as the "Florida Motor Fuel

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AMERICAN OVERSIGHT

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on ~~October~~ July 1, 2022, through 11:59 p.m. on ~~October 31~~ November 30, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

Commented [SS1]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS2]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS3]: Requester: Subparagraph 206.41(1)(g)1. says that " the tax rate shall not be lower than 6.9 cents per gallon". This will contradict that statute. An potential fix would be to add a "notwithstanding" clause.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

FL-GOV-22-0226, 20-0378-A-002402

AMERICAN OVERSIGHT

of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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FL-GOV-22-0226, 20-0378-A-002403

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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FL-GOV-22-0226, 20-0378-A-002404

crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002405

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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FL-GOV-22-0226, 20-0378-A-002406

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. By January 15, 2023, the Department of Revenue shall calculate the number of gallons sold at the reduced tax and shall determine the amount of taxes not collected under s.206.41(1)(b), Florida Statutes, s.206.41(1)(c), Florida Statutes, s.206.41(1)(f), Florida Statutes, and s.206.41(1)(g), Florida Statutes.

Section ~~11~~12. For the ~~2022-2023~~2021-22 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for ~~and~~ administering this act. The unexpended balance of funds of this appropriation remaining on June 30, 2022, shall revert and is appropriated for Fiscal Year 2022-23 for the same purpose.

Section ~~12~~13. For the 2022-2023 fiscal year, the following nonoperating transfers from the General Revenue Fund are authorized:

~~(1) The sum of $135 million may be transferred from the~~

Commented [SS4]: Requester: Should this be a requirement instead of authorization? (i.e., "funds shall be transferred" instead of "transfers are authorized"?)

It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

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~~General Revenue Fund into the State Transportation Trust Fund.~~

~~(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.~~

~~(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.~~

~~(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.~~

(1) The sum of no more than $665 million is authorized to be transferred into the State Transportation Trust Fund;

Transfers of $133 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $133 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(g) as required in section 12 less $532 million.

(2) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

Commented [SS7]: Requester: same

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FL-GOV-22-0226, 20-0378-A-002408

have been collected under s. 206(41)(1)(b) as required in section 12 less $36 million.

(3) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

Transfers of $9 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(c) as required in section 12 less $36 million.

(4) The sum of no more than $365 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608;

Transfers of $73 million each shall be made during the months of September, October, November and December 2022;

A transfer on or before January 31, 2023 of the smaller of (1) $73 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(f) as required in section 12 less $292 million.

Section ~~13~~14. This act shall take effect upon becoming a law.

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FL-GOV-22-0226, 20-0378-A-002409

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: Bill Drafting...Health care
Date: Wednesday, December 1, 2021 8:08:16 AM
Attachments: Transparency Bill.docx

Can you please put in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to health care; amending s. 408.062; provides for prescription price transparency; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062-Research, analyses, studies and reports

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the ~~300~~ 500 most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data shall be reported for the generic drug and price data of a brand-named drug for which the generic drug is the equivalent shall be reported. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The data collected shall be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

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Updated: 4/22/2022 10:48 AM

DRAFT

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: Bill Drafting: gas tax
Date: Wednesday, December 1, 2021 8:24:22 AM
Attachments: Conforming Bill - Fuel Tax Holiday 2022.docx

Can you please put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to taxation; providing a popular name; providing for a reduction in the motor fuel tax for one month; providing dealer requirements; providing legislative intent; providing for a reduction in certain refunds for the same period; authorizing the executive director of the Department of Revenue to adopt emergency rules for certain purpose; making unlawful certain activities of certain entities relating to the tax reduction; providing criminal penalties; amending s. 16.56, F.S.; including offenses specified in this act under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; including offenses specified in this act under provisions prohibiting certain persons from holding certain licenses for certain violations; amending s. 206.404, F.S.; providing for revocation of certain licenses for violations of this act; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing criteria; providing appropriation; authorizing nonoperating transfers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be referred to by the popular name the "Florida Motor Fuel Tax Relief Act of 2022."

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Section 2. Beginning at 12:01 a.m. October 1, 2022, through midnight October 31, 2022, the tax levied pursuant to s.206.41(1) (b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s.206.41(1) (g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the reduced rate of tax on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The executive director of the Department of Revenue is authorized to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the provisions of this act. Notwithstanding any other law, the emergency rules shall remain effective for 6 months after the date of adoption of the rules.

Section 6. It is unlawful for a terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel

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FL-GOV-22-0226, 20-0378-A-002414

to retain any part of the tax reduction set forth in this act or to interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating the provisions of this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.--

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

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5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

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FL-GOV-22-0226, 20-0378-A-002416

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.--

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been

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AMERICAN OVERSIGHT

determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

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206.404 License requirements for retail dealers and resellers; penalty.--

(3) Any retail dealer or reseller in violation of the provisions of this chapter or the provisions of the Florida Motor Fuel Tax Relief Act of 2004 or the provisions of the Florida Motor Fuel Tax Relief Act of 2022 shall be subject to revocation of his or her license under chapter 212.

Section 10. In order to accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; provided the retail dealer can show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 12. The sum of $300,000 in nonrecurring General Revenue is appropriated to the Department of Revenue for Fiscal Year 2022-23 for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 13. The following nonoperating transfers from the General Revenue Fund are authorized for Fiscal Year 2022-23:

1. The sum of $135 million is authorized to be transferred from the General Revenue Fund into the State Transportation Trust Fund;

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2. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

3. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

4. The sum of $72 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 14. This act shall take effect upon becoming a law.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	alexander.dee@flsenate.gov
Cc:	Burdette,Brenda
Subject:	Bill Drafting: gas tax
Date:	Wednesday, December 1, 2021 8:24:18 AM
Attachments:	Conforming Bill - Fuel Tax Holiday 2022.docx

Can you please put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to taxation; providing a popular name; providing for a reduction in the motor fuel tax for one month; providing dealer requirements; providing legislative intent; providing for a reduction in certain refunds for the same period; authorizing the executive director of the Department of Revenue to adopt emergency rules for certain purpose; making unlawful certain activities of certain entities relating to the tax reduction; providing criminal penalties; amending s. 16.56, F.S.; including offenses specified in this act under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; including offenses specified in this act under provisions prohibiting certain persons from holding certain licenses for certain violations; amending s. 206.404, F.S.; providing for revocation of certain licenses for violations of this act; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing criteria; providing appropriation; authorizing nonoperating transfers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be referred to by the popular name the "Florida Motor Fuel Tax Relief Act of 2022."

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Section 2. Beginning at 12:01 a.m. October 1, 2022, through midnight October 31, 2022, the tax levied pursuant to s.206.41(1) (b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s.206.41(1) (g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the reduced rate of tax on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The executive director of the Department of Revenue is authorized to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the provisions of this act. Notwithstanding any other law, the emergency rules shall remain effective for 6 months after the date of adoption of the rules.

Section 6. It is unlawful for a terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel

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to retain any part of the tax reduction set forth in this act or to interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating the provisions of this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.--

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002424

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002425

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.--

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been

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determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

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AMERICAN OVERSIGHT

206.404 License requirements for retail dealers and resellers; penalty.--

(3) Any retail dealer or reseller in violation of the provisions of this chapter or the provisions of the Florida Motor Fuel Tax Relief Act of 2004 or the provisions of the Florida Motor Fuel Tax Relief Act of 2022 shall be subject to revocation of his or her license under chapter 212.

Section 10. In order to accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; provided the retail dealer can show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 12. The sum of $300,000 in nonrecurring General Revenue is appropriated to the Department of Revenue for Fiscal Year 2022-23 for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 13. The following nonoperating transfers from the General Revenue Fund are authorized for Fiscal Year 2022-23:

1. The sum of $135 million is authorized to be transferred from the General Revenue Fund into the State Transportation Trust Fund;

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AMERICAN OVERSIGHT

2. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

3. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

4. The sum of $72 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 14. This act shall take effect upon becoming a law.

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AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: Bill Drafting: gas tax
Date: Wednesday, December 1, 2021 8:24:24 AM
Attachments: Conforming Bill - Fuel Tax Holiday 2022.docx

Can you please put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to taxation; providing a popular name; providing for a reduction in the motor fuel tax for one month; providing dealer requirements; providing legislative intent; providing for a reduction in certain refunds for the same period; authorizing the executive director of the Department of Revenue to adopt emergency rules for certain purpose; making unlawful certain activities of certain entities relating to the tax reduction; providing criminal penalties; amending s. 16.56, F.S.; including offenses specified in this act under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; including offenses specified in this act under provisions prohibiting certain persons from holding certain licenses for certain violations; amending s. 206.404, F.S.; providing for revocation of certain licenses for violations of this act; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing criteria; providing appropriation; authorizing nonoperating transfers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be referred to by the popular name the "Florida Motor Fuel Tax Relief Act of 2022."

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Section 2. Beginning at 12:01 a.m. October 1, 2022, through midnight October 31, 2022, the tax levied pursuant to s.206.41(1) (b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s.206.41(1) (g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the reduced rate of tax on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The executive director of the Department of Revenue is authorized to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the provisions of this act. Notwithstanding any other law, the emergency rules shall remain effective for 6 months after the date of adoption of the rules.

Section 6. It is unlawful for a terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002432

to retain any part of the tax reduction set forth in this act or to interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating the provisions of this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.--

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

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5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

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18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.--

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been

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determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

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AMERICAN OVERSIGHT

206.404 License requirements for retail dealers and resellers; penalty.--

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Section 10. In order to accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; provided the retail dealer can show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

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4. The sum of $72 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 14. This act shall take effect upon becoming a law.

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From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: DBPR...Condo Language
Date: Wednesday, December 1, 2021 8:08:51 AM
Attachments: Language.doc

Do you mind putting this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

718.103 Definitions.—As used in this chapter, the term:

(1) "Assessment" means a share of the funds which are required for the payment of common expenses, which from time to time is assessed against the unit owner.

(2) "Association" means, in addition to any entity responsible for the operation of common elements owned in undivided shares by unit owners, any entity which operates or maintains other real property in which unit owners have use rights, where membership in the entity is composed exclusively of unit owners or their elected or appointed representatives and is a required condition of unit ownership.

(3) "Association property" means that property, real and personal, which is owned or leased by, or is dedicated by a recorded plat to, the association for the use and benefit of its members.

(4) "Board of administration" or "board" means the board of directors or other representative body which is responsible for administration of the association.

(5) "Buyer" means a person who purchases a condominium unit. The term "purchaser" may be used interchangeably with the term "buyer."

(6) "Bylaws" means the bylaws of the association as they are amended from time to time.

(7) "Committee" means a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the proposed annual budget or to take action on behalf of the board.

(8) "Common elements" means the portions of the condominium property not included in the units, that is jointly owned by all of the unit owners, including but not limited to stairs, elevators, hallways, swimming pools, and any other physical space customarily used by all

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of the unit owners in a condominium or as specifically described by Division rule.

(9) "Common expenses" means all expenses properly incurred by the association in the performance of its duties, including expenses specified in s. 718.115.

(10) "Common surplus" means the amount of all receipts or revenues, including assessments, rents, or profits, collected by a condominium association which exceeds common expenses.

(11) "Condominium" means that form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

(12) "Condominium parcel" means a unit, together with the undivided share in the common elements appurtenant to the unit.

(13) "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

(14) "Conspicuous type" means bold type in capital letters no smaller than the largest type, exclusive of headings, on the page on which it appears and, in all cases, at least 10-point type. Where conspicuous type is required, it must be separated on all sides from other type and print. Conspicuous type may be used in a contract for purchase and sale of a unit, a lease of a unit for more than 5 years, or a prospectus or offering circular only where required by law.

(15) "Declaration" or "declaration of condominium" means the instrument or instruments by which a condominium is created, as they are from time to time amended.

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(16) "Developer" means a person who creates a condominium or offers condominium parcels for sale or lease in the ordinary course of business, but does not include:

(a) An owner or lessee of a condominium or cooperative unit who has acquired the unit for his or her own occupancy;

(b) A cooperative association that creates a condominium by conversion of an existing residential cooperative after control of the association has been transferred to the unit owners if, following the conversion, the unit owners are the same persons who were unit owners of the cooperative and no units are offered for sale or lease to the public as part of the plan of conversion;

(c) A bulk assignee or bulk buyer as defined in s. 718.703; or

(d) A state, county, or municipal entity acting as a lessor and not otherwise named as a developer in the declaration of condominium.

(17) "Division" means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.

(18) "Financial issue" means issues related to operating budgets, reserve schedules, financial records pursuant to s. 718.111(12)(a)11., notices of meetings and meeting minutes for budget or financial statement related meetings, any assessment for common expenses, fees or fines, commingling of funds and any other record necessary to determine the revenues and expenses of the association. The division may adopt rules to further define a financial issue.

(19) ~~(18)~~ "Land" means the surface of a legally described parcel of real property and includes, unless otherwise specified in the declaration and whether separate from or including such surface, airspace lying above and subterranean space lying below such surface. However, if so defined in the declaration, the term "land" may mean all or any portion of the airspace or subterranean space

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AMERICAN OVERSIGHT

between two legally identifiable elevations and may exclude the surface of a parcel of real property and may mean any combination of the foregoing, whether or not contiguous, or may mean a condominium unit.

(20) ~~(19)~~ "Limited common elements" means those common elements which are reserved for the use of a certain unit or units to the exclusion of all other units, as specified in the declaration.

(21) ~~(20)~~ "Multicondominium" means a real estate development containing two or more condominiums, all of which are operated by the same association.

(22) ~~(21)~~ "Operation" or "operation of the condominium" includes the administration and management of the condominium property.

(23) ~~(22)~~ "Rental agreement" means any written agreement, or oral agreement if for less duration than 1 year, providing for use and occupancy of premises.

(24) ~~(23)~~ "Residential condominium" means a condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended

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for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404.

(25) ~~(24)~~ "Special assessment" means any assessment levied against a unit owner other than the assessment required by a budget adopted annually.

(26) ~~(25)~~ "Timeshare estate" means any interest in a unit under which the exclusive right of use, possession, or occupancy of the unit circulates among the various purchasers of a timeshare plan pursuant to chapter 721 on a recurring basis for a period of time.

(27) ~~(26)~~ "Timeshare unit" means a unit in which timeshare estates have been created.

(28) ~~(27)~~ "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration. A unit cannot be solely constituted of a land or other physical space customarily used by all of the unit owners in a condominium such as stairways, hallways, elevators, swimming pools, or other space as specified by Division rule.

(29) ~~(28)~~ "Unit owner" or "owner of a unit" means a record owner of legal title to a condominium parcel.

(30) ~~(29)~~ "Voting certificate" means a document which designates one of the record title owners, or the corporate, partnership, or entity representative, who is authorized to vote on behalf of a condominium unit that is owned by more than one owner or by any entity.

(31) ~~(30)~~ "Voting interests" means the voting rights distributed to the association members pursuant to s.718.104(4)(j). In a multicondominium association, the voting interests of the association are the voting rights distributed to the unit owners in all condominiums operated by the association. On matters related to

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a specific condominium in a multicondominium association, the voting interests of the condominium are the voting rights distributed to the unit owners in that condominium.

(32) The Division shall have authority to adopt rules as necessary to effectuate the provisions of this section.

Section 718.111

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other items provided by the developer pursuant to s. 718.301(4).

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A photocopy of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books that contain the minutes of all meetings of the association, the board of administration, and the unit owners.

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. The e-mail addresses and facsimile numbers are not accessible to unit owners if consent to receive notice by electronic transmission is not provided in

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accordance with sub-subparagraph (c)3.e. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures.

b. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

c. All audits, reviews, accounting statements, and financial reports of the association or condominium.

d. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must

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FL-GOV-22-0226, 20-0378-A-002446

be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection report as described in s. 718.301(4)(p).

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

18. A copy of all checklists and sworn affidavits executed in response to a unit owner's request for access to records pursuant to s. 718.111(12)(c).

19. A copy of any structural or engineering inspection report, completed on or after July 1, 2022.

~~18.~~ 20. All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(b) The official records specified in subparagraphs (a)1.-6. must be permanently maintained from the inception of the association. All other official records must be maintained within the state for at least 7 years, unless otherwise provided by general law. All official records must be maintained in a manner and format delineated by Division rule so that records are easily accessible for inspection. The Division shall adopt rules to ensure the availability and accessibility of records as required by this sub-section. The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10

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working days after receipt of a written request by the board or its designee. However, such distance requirement does not apply to an association governing a timeshare condominium. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property, or the association may offer the option of making the records available to a unit owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. The association is not responsible for the use or misuse of the information provided to an association member or his or her authorized representative pursuant to the compliance requirements of this chapter unless the association has an affirmative duty not to disclose such information pursuant to this chapter.

(c)1. The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The association must provide a checklist of all official records made available in response to a statutorily compliant written request. If any or all of the official records are not available, it must be noted accordingly on the checklist. Each checklist issued to a requestor in conjunction with an official records request must be accompanied by a sworn affidavit from the person facilitating or handling the request on behalf of the association, attesting that the requested documents have been provided to the requestor. The checklist must be maintained by the association for seven years. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member or authorized representative of such member. A renter of a unit has a right to inspect and copy the association's bylaws and rules. The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of

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record inspections and copying. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of

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scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and

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other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and all telephone numbers of each parcel owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

(d) The association shall prepare a question and answer sheet as described in s. 718.504, and shall update it annually.

(e)1. The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the condominium or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a

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reasonable fee to the prospective purchaser, lienholder, or the current unit owner for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed $150 plus the reasonable cost of photocopying and any attorney's fees incurred by the association in connection with the response.

2. An association and its authorized agent are not liable for providing such information in good faith pursuant to a written request if the person providing the information includes a written statement in substantially the following form: "The responses herein are made in good faith and to the best of my ability as to their accuracy."

(f) An outgoing board or committee member must relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within 5 days after the election. The division shall impose a civil penalty as set forth in s. 718.501(1)(d)6. against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

(g)1. ~~By January 1, 2019~~, January 1, 2023 an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of all official records of the association as specified in s. 718.111(12)(a)1.- 19. ~~the documents specified in subparagraph 2.~~ on its website.

a. The association's website must be:

(I) An independent website or web portal wholly owned and operated by the association; or

(II) A website or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, or collection of

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subpages or web portals dedicated to the association's activities and on which required notices, records, and documents may be posted by the association.

b. The association's website must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website that contain any notices, records, or documents that must be electronically provided.

~~2. A current copy of the following documents must be posted in digital format on the association's website:~~

~~a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.~~

~~b. The recorded bylaws of the association and each amendment to the bylaws.~~

~~c. The articles of incorporation of the association, or other documents creating the association, and each amendment thereto. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.~~

~~d. The rules of the association.~~

~~e. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website for 1 year. In lieu of summaries, complete copies of the bids may be posted.~~

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~~f. The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.~~

~~g. The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.~~

~~h. The certification of each director required by s. 718.112(2)(d)4.b.~~

~~i. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.~~

~~j. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 718.3027(3).~~

~~k. The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website, or on a separate subpage of the website labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.~~

~~l. Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice pursuant to s. 718.112(2)(c).~~

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website. If

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protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website, the association shall ensure the information is redacted before posting the documents online. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted pursuant to this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

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(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the most recent financial report or a notice that a copy of the most recent financial report will be mailed or hand delivered to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be

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limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare a complete set of financial statements in accordance with generally accepted accounting principles. The financial statements must be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

(b)1. An association with total annual revenues of less than $150,000 shall prepare a report of cash receipts and expenditures.

2. A report of cash receipts and disbursements must disclose the amount of receipts by accounts and receipt classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital

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expenditures, deferred maintenance, and any other category for which the association maintains reserves.

(c) An association may prepare, without a meeting of or approval by the unit owners:

1. Compiled, reviewed, or audited financial statements, if the association is required to prepare a report of cash receipts and expenditures;

2. Reviewed or audited financial statements, if the association is required to prepare compiled financial statements; or

3. Audited financial statements if the association is required to prepare reviewed financial statements.

(d) If approved by a majority of the voting interests present at a properly called meeting of the association, an association may prepare:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

Such meeting and approval must occur before the end of the fiscal year and is effective only for the fiscal year in which the vote is taken, except that the approval may also be effective for the following fiscal year. If the developer has not turned over control of the association, all unit owners, including the developer, may vote on issues related to the preparation of the association's financial reports, from the date of incorporation of the association through the end of the second fiscal year after the fiscal year in which the certificate of a surveyor and mapper is

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recorded pursuant to s. 718.104(4)(e) or an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit is recorded, whichever occurs first. Thereafter, all unit owners except the developer may vote on such issues until control is turned over to the association by the developer. Any audit or review prepared under this section shall be paid for by the developer if done before turnover of control of the association.

(e) A unit owner may provide written notice to the division of the association's failure to mail or hand deliver him or her a copy of the most recent financial report within 5 business days after he or she submitted a written request to the association for a copy of such report. If the division determines that the association failed to mail or hand deliver a copy of the most recent financial report to the unit owner, the division shall provide written notice to the association that the association must mail or hand deliver a copy of the most recent financial report to the unit owner and the division within 5 business days after it receives such notice from the division. An association that fails to comply with the division's request may not waive the financial reporting requirement provided in paragraph (d) for the fiscal year in which the unit owner's request was made and the following fiscal year. A financial report received by the division pursuant to this paragraph shall be maintained, and the division shall provide a copy of such report to an association member upon his or her request.

(f) By July 1, 2023, a copy of the financial statement as well as copies of adopted budgets of condominium associations, comprised of a threshold amount to be determined by the Division and as specified by rule shall be uploaded to the division's online web portal within 30 days within 30 days after the date the financial

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statements and the adopted budget are due in accordance with the association's governing documents, or if silent, pursuant to s. 718.112(2)(f), F.S., or within 30 days after the beginning of the fiscal year. The division shall have an online web portal system operational by January 1, 2023 which will allow for public searches by association name and fiscal year. The documents submitted to the division shall be maintained in the online web portal for three years.

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	alexander.dee@flsenate.gov
Cc:	Burdette,Brenda
Subject:	DBPR...Condo Language
Date:	Wednesday, December 1, 2021 8:08:47 AM
Attachments:	Language.doc

Do you mind putting this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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A bill to be entitled

718.103 Definitions.—As used in this chapter, the term:

(1) "Assessment" means a share of the funds which are required for the payment of common expenses, which from time to time is assessed against the unit owner.

(2) "Association" means, in addition to any entity responsible for the operation of common elements owned in undivided shares by unit owners, any entity which operates or maintains other real property in which unit owners have use rights, where membership in the entity is composed exclusively of unit owners or their elected or appointed representatives and is a required condition of unit ownership.

(3) "Association property" means that property, real and personal, which is owned or leased by, or is dedicated by a recorded plat to, the association for the use and benefit of its members.

(4) "Board of administration" or "board" means the board of directors or other representative body which is responsible for administration of the association.

(5) "Buyer" means a person who purchases a condominium unit. The term "purchaser" may be used interchangeably with the term "buyer."

(6) "Bylaws" means the bylaws of the association as they are amended from time to time.

(7) "Committee" means a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the proposed annual budget or to take action on behalf of the board.

(8) "Common elements" means the portions of the condominium property not included in the units, that is jointly owned by all of the unit owners, including but not limited to stairs, elevators, hallways, swimming pools, and any other physical space customarily used by all

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of the unit owners in a condominium or as specifically described by Division rule.

(9) "Common expenses" means all expenses properly incurred by the association in the performance of its duties, including expenses specified in s. 718.115.

(10) "Common surplus" means the amount of all receipts or revenues, including assessments, rents, or profits, collected by a condominium association which exceeds common expenses.

(11) "Condominium" means that form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

(12) "Condominium parcel" means a unit, together with the undivided share in the common elements appurtenant to the unit.

(13) "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

(14) "Conspicuous type" means bold type in capital letters no smaller than the largest type, exclusive of headings, on the page on which it appears and, in all cases, at least 10-point type. Where conspicuous type is required, it must be separated on all sides from other type and print. Conspicuous type may be used in a contract for purchase and sale of a unit, a lease of a unit for more than 5 years, or a prospectus or offering circular only where required by law.

(15) "Declaration" or "declaration of condominium" means the instrument or instruments by which a condominium is created, as they are from time to time amended.

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(16) "Developer" means a person who creates a condominium or offers condominium parcels for sale or lease in the ordinary course of business, but does not include:

(a) An owner or lessee of a condominium or cooperative unit who has acquired the unit for his or her own occupancy;

(b) A cooperative association that creates a condominium by conversion of an existing residential cooperative after control of the association has been transferred to the unit owners if, following the conversion, the unit owners are the same persons who were unit owners of the cooperative and no units are offered for sale or lease to the public as part of the plan of conversion;

(c) A bulk assignee or bulk buyer as defined in s. 718.703; or

(d) A state, county, or municipal entity acting as a lessor and not otherwise named as a developer in the declaration of condominium.

(17) "Division" means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.

(18) "Financial issue" means issues related to operating budgets, reserve schedules, financial records pursuant to s. 718.111(12)(a)11., notices of meetings and meeting minutes for budget or financial statement related meetings, any assessment for common expenses, fees or fines, commingling of funds and any other record necessary to determine the revenues and expenses of the association. The division may adopt rules to further define a financial issue.

(19) ~~(18)~~ "Land" means the surface of a legally described parcel of real property and includes, unless otherwise specified in the declaration and whether separate from or including such surface, airspace lying above and subterranean space lying below such surface. However, if so defined in the declaration, the term "land" may mean all or any portion of the airspace or subterranean space

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between two legally identifiable elevations and may exclude the surface of a parcel of real property and may mean any combination of the foregoing, whether or not contiguous, or may mean a condominium unit.

(20) ~~(19)~~ "Limited common elements" means those common elements which are reserved for the use of a certain unit or units to the exclusion of all other units, as specified in the declaration.

(21) ~~(20)~~ "Multicondominium" means a real estate development containing two or more condominiums, all of which are operated by the same association.

(22) ~~(21)~~ "Operation" or "operation of the condominium" includes the administration and management of the condominium property.

(23) ~~(22)~~ "Rental agreement" means any written agreement, or oral agreement if for less duration than 1 year, providing for use and occupancy of premises.

(24) ~~(23)~~ "Residential condominium" means a condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended

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for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404.

(25) ~~(24)~~ "Special assessment" means any assessment levied against a unit owner other than the assessment required by a budget adopted annually.

(26) ~~(25)~~ "Timeshare estate" means any interest in a unit under which the exclusive right of use, possession, or occupancy of the unit circulates among the various purchasers of a timeshare plan pursuant to chapter 721 on a recurring basis for a period of time.

(27) ~~(26)~~ "Timeshare unit" means a unit in which timeshare estates have been created.

(28) ~~(27)~~ "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration. A unit cannot be solely constituted of a land or other physical space customarily used by all of the unit owners in a condominium such as stairways, hallways, elevators, swimming pools, or other space as specified by Division rule.

(29) ~~(28)~~ "Unit owner" or "owner of a unit" means a record owner of legal title to a condominium parcel.

(30) ~~(29)~~ "Voting certificate" means a document which designates one of the record title owners, or the corporate, partnership, or entity representative, who is authorized to vote on behalf of a condominium unit that is owned by more than one owner or by any entity.

(31) ~~(30)~~ "Voting interests" means the voting rights distributed to the association members pursuant to s.718.104(4)(j). In a multicondominium association, the voting interests of the association are the voting rights distributed to the unit owners in all condominiums operated by the association. On matters related to

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a specific condominium in a multicondominium association, the voting interests of the condominium are the voting rights distributed to the unit owners in that condominium.

(32) The Division shall have authority to adopt rules as necessary to effectuate the provisions of this section.

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(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other items provided by the developer pursuant to s. 718.301(4).

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A photocopy of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books that contain the minutes of all meetings of the association, the board of administration, and the unit owners.

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. The e-mail addresses and facsimile numbers are not accessible to unit owners if consent to receive notice by electronic transmission is not provided in

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accordance with sub-subparagraph (c)3.e. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures.

b. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

c. All audits, reviews, accounting statements, and financial reports of the association or condominium.

d. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must

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be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection report as described in s. 718.301(4)(p).

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

18. A copy of all checklists and sworn affidavits executed in response to a unit owner's request for access to records pursuant to s. 718.111(12)(c).

19. A copy of any structural or engineering inspection report, completed on or after July 1, 2022.

~~18.~~ 20. All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(b) The official records specified in subparagraphs (a)1.-6. must be permanently maintained from the inception of the association. All other official records must be maintained within the state for at least 7 years, unless otherwise provided by general law. All official records must be maintained in a manner and format delineated by Division rule so that records are easily accessible for inspection. The Division shall adopt rules to ensure the availability and accessibility of records as required by this sub-section. The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10

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working days after receipt of a written request by the board or its designee. However, such distance requirement does not apply to an association governing a timeshare condominium. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property, or the association may offer the option of making the records available to a unit owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. The association is not responsible for the use or misuse of the information provided to an association member or his or her authorized representative pursuant to the compliance requirements of this chapter unless the association has an affirmative duty not to disclose such information pursuant to this chapter.

(c)1. The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The association must provide a checklist of all official records made available in response to a statutorily compliant written request. If any or all of the official records are not available, it must be noted accordingly on the checklist. Each checklist issued to a requestor in conjunction with an official records request must be accompanied by a sworn affidavit from the person facilitating or handling the request on behalf of the association, attesting that the requested documents have been provided to the requestor. The checklist must be maintained by the association for seven years. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member or authorized representative of such member. A renter of a unit has a right to inspect and copy the association's bylaws and rules. The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of

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record inspections and copying. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of

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scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and

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other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and all telephone numbers of each parcel owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

(d) The association shall prepare a question and answer sheet as described in s. 718.504, and shall update it annually.

(e)1. The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the condominium or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a

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reasonable fee to the prospective purchaser, lienholder, or the current unit owner for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed $150 plus the reasonable cost of photocopying and any attorney's fees incurred by the association in connection with the response.

2. An association and its authorized agent are not liable for providing such information in good faith pursuant to a written request if the person providing the information includes a written statement in substantially the following form: "The responses herein are made in good faith and to the best of my ability as to their accuracy."

(f) An outgoing board or committee member must relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within 5 days after the election. The division shall impose a civil penalty as set forth in s. 718.501(1)(d)6. against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

(g)1. ~~By January 1, 2019~~, January 1, 2023 an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of all official records of the association as specified in s. 718.111(12)(a)1.- 19. ~~the documents specified in subparagraph 2.~~ on its website.

a. The association's website must be:

(I) An independent website or web portal wholly owned and operated by the association; or

(II) A website or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, or collection of

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subpages or web portals dedicated to the association's activities and on which required notices, records, and documents may be posted by the association.

b. The association's website must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website that contain any notices, records, or documents that must be electronically provided.

~~2. A current copy of the following documents must be posted in digital format on the association's website:~~

~~a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.~~

~~b. The recorded bylaws of the association and each amendment to the bylaws.~~

~~c. The articles of incorporation of the association, or other documents creating the association, and each amendment thereto. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.~~

~~d. The rules of the association.~~

~~e. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website for 1 year. In lieu of summaries, complete copies of the bids may be posted.~~

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~~f. The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.~~

~~g. The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.~~

~~h. The certification of each director required by s. 718.112(2)(d)4.b.~~

~~i. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.~~

~~j. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 718.3027(3).~~

~~k. The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website, or on a separate subpage of the website labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.~~

~~l. Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice pursuant to s. 718.112(2)(c).~~

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website. If

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protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website, the association shall ensure the information is redacted before posting the documents online. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted pursuant to this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

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(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the most recent financial report or a notice that a copy of the most recent financial report will be mailed or hand delivered to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be

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limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare a complete set of financial statements in accordance with generally accepted accounting principles. The financial statements must be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

(b)1. An association with total annual revenues of less than $150,000 shall prepare a report of cash receipts and expenditures.

2. A report of cash receipts and disbursements must disclose the amount of receipts by accounts and receipt classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital

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expenditures, deferred maintenance, and any other category for which the association maintains reserves.

(c) An association may prepare, without a meeting of or approval by the unit owners:

1. Compiled, reviewed, or audited financial statements, if the association is required to prepare a report of cash receipts and expenditures;

2. Reviewed or audited financial statements, if the association is required to prepare compiled financial statements; or

3. Audited financial statements if the association is required to prepare reviewed financial statements.

(d) If approved by a majority of the voting interests present at a properly called meeting of the association, an association may prepare:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

Such meeting and approval must occur before the end of the fiscal year and is effective only for the fiscal year in which the vote is taken, except that the approval may also be effective for the following fiscal year. If the developer has not turned over control of the association, all unit owners, including the developer, may vote on issues related to the preparation of the association's financial reports, from the date of incorporation of the association through the end of the second fiscal year after the fiscal year in which the certificate of a surveyor and mapper is

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recorded pursuant to s. 718.104(4)(e) or an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit is recorded, whichever occurs first. Thereafter, all unit owners except the developer may vote on such issues until control is turned over to the association by the developer. Any audit or review prepared under this section shall be paid for by the developer if done before turnover of control of the association.

(e) A unit owner may provide written notice to the division of the association's failure to mail or hand deliver him or her a copy of the most recent financial report within 5 business days after he or she submitted a written request to the association for a copy of such report. If the division determines that the association failed to mail or hand deliver a copy of the most recent financial report to the unit owner, the division shall provide written notice to the association that the association must mail or hand deliver a copy of the most recent financial report to the unit owner and the division within 5 business days after it receives such notice from the division. An association that fails to comply with the division's request may not waive the financial reporting requirement provided in paragraph (d) for the fiscal year in which the unit owner's request was made and the following fiscal year. A financial report received by the division pursuant to this paragraph shall be maintained, and the division shall provide a copy of such report to an association member upon his or her request.

(f) By July 1, 2023, a copy of the financial statement as well as copies of adopted budgets of condominium associations, comprised of a threshold amount to be determined by the Division and as specified by rule shall be uploaded to the division's online web portal within 30 days within 30 days after the date the financial

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statements and the adopted budget are due in accordance with the association's governing documents, or if silent, pursuant to s. 718.112(2)(f), F.S., or within 30 days after the beginning of the fiscal year. The division shall have an online web portal system operational by January 1, 2023 which will allow for public searches by association name and fiscal year. The documents submitted to the division shall be maintained in the online web portal for three years.

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From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: DBPR...Condo Language
Date: Wednesday, December 1, 2021 8:08:53 AM
Attachments: Language.doc

Do you mind putting this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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A bill to be entitled

718.103 Definitions.—As used in this chapter, the term:

(1) "Assessment" means a share of the funds which are required for the payment of common expenses, which from time to time is assessed against the unit owner.

(2) "Association" means, in addition to any entity responsible for the operation of common elements owned in undivided shares by unit owners, any entity which operates or maintains other real property in which unit owners have use rights, where membership in the entity is composed exclusively of unit owners or their elected or appointed representatives and is a required condition of unit ownership.

(3) "Association property" means that property, real and personal, which is owned or leased by, or is dedicated by a recorded plat to, the association for the use and benefit of its members.

(4) "Board of administration" or "board" means the board of directors or other representative body which is responsible for administration of the association.

(5) "Buyer" means a person who purchases a condominium unit. The term "purchaser" may be used interchangeably with the term "buyer."

(6) "Bylaws" means the bylaws of the association as they are amended from time to time.

(7) "Committee" means a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the proposed annual budget or to take action on behalf of the board.

(8) "Common elements" means the portions of the condominium property not included in the units, that is jointly owned by all of the unit owners, including but not limited to stairs, elevators, hallways, swimming pools, and any other physical space customarily used by all

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of the unit owners in a condominium or as specifically described by Division rule.

(9) "Common expenses" means all expenses properly incurred by the association in the performance of its duties, including expenses specified in s. 718.115.

(10) "Common surplus" means the amount of all receipts or revenues, including assessments, rents, or profits, collected by a condominium association which exceeds common expenses.

(11) "Condominium" means that form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

(12) "Condominium parcel" means a unit, together with the undivided share in the common elements appurtenant to the unit.

(13) "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

(14) "Conspicuous type" means bold type in capital letters no smaller than the largest type, exclusive of headings, on the page on which it appears and, in all cases, at least 10-point type. Where conspicuous type is required, it must be separated on all sides from other type and print. Conspicuous type may be used in a contract for purchase and sale of a unit, a lease of a unit for more than 5 years, or a prospectus or offering circular only where required by law.

(15) "Declaration" or "declaration of condominium" means the instrument or instruments by which a condominium is created, as they are from time to time amended.

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(16) "Developer" means a person who creates a condominium or offers condominium parcels for sale or lease in the ordinary course of business, but does not include:

(a) An owner or lessee of a condominium or cooperative unit who has acquired the unit for his or her own occupancy;

(b) A cooperative association that creates a condominium by conversion of an existing residential cooperative after control of the association has been transferred to the unit owners if, following the conversion, the unit owners are the same persons who were unit owners of the cooperative and no units are offered for sale or lease to the public as part of the plan of conversion;

(c) A bulk assignee or bulk buyer as defined in s. 718.703; or

(d) A state, county, or municipal entity acting as a lessor and not otherwise named as a developer in the declaration of condominium.

(17) "Division" means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.

(18) "Financial issue" means issues related to operating budgets, reserve schedules, financial records pursuant to s. 718.111(12)(a)11., notices of meetings and meeting minutes for budget or financial statement related meetings, any assessment for common expenses, fees or fines, commingling of funds and any other record necessary to determine the revenues and expenses of the association. The division may adopt rules to further define a financial issue.

(19) ~~(18)~~ "Land" means the surface of a legally described parcel of real property and includes, unless otherwise specified in the declaration and whether separate from or including such surface, airspace lying above and subterranean space lying below such surface. However, if so defined in the declaration, the term "land" may mean all or any portion of the airspace or subterranean space

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between two legally identifiable elevations and may exclude the surface of a parcel of real property and may mean any combination of the foregoing, whether or not contiguous, or may mean a condominium unit.

(20) ~~(19)~~ "Limited common elements" means those common elements which are reserved for the use of a certain unit or units to the exclusion of all other units, as specified in the declaration.

(21) ~~(20)~~ "Multicondominium" means a real estate development containing two or more condominiums, all of which are operated by the same association.

(22) ~~(21)~~ "Operation" or "operation of the condominium" includes the administration and management of the condominium property.

(23) ~~(22)~~ "Rental agreement" means any written agreement, or oral agreement if for less duration than 1 year, providing for use and occupancy of premises.

(24) ~~(23)~~ "Residential condominium" means a condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended

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for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404.

(25) ~~(24)~~ "Special assessment" means any assessment levied against a unit owner other than the assessment required by a budget adopted annually.

(26) ~~(25)~~ "Timeshare estate" means any interest in a unit under which the exclusive right of use, possession, or occupancy of the unit circulates among the various purchasers of a timeshare plan pursuant to chapter 721 on a recurring basis for a period of time.

(27) ~~(26)~~ "Timeshare unit" means a unit in which timeshare estates have been created.

(28) ~~(27)~~ "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration. A unit cannot be solely constituted of a land or other physical space customarily used by all of the unit owners in a condominium such as stairways, hallways, elevators, swimming pools, or other space as specified by Division rule.

(29) ~~(28)~~ "Unit owner" or "owner of a unit" means a record owner of legal title to a condominium parcel.

(30) ~~(29)~~ "Voting certificate" means a document which designates one of the record title owners, or the corporate, partnership, or entity representative, who is authorized to vote on behalf of a condominium unit that is owned by more than one owner or by any entity.

(31) ~~(30)~~ "Voting interests" means the voting rights distributed to the association members pursuant to s.718.104(4)(j). In a multicondominium association, the voting interests of the association are the voting rights distributed to the unit owners in all condominiums operated by the association. On matters related to

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a specific condominium in a multicondominium association, the voting interests of the condominium are the voting rights distributed to the unit owners in that condominium.

(32) The Division shall have authority to adopt rules as necessary to effectuate the provisions of this section.

Section 718.111

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other items provided by the developer pursuant to s. 718.301(4).

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A photocopy of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books that contain the minutes of all meetings of the association, the board of administration, and the unit owners.

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. The e-mail addresses and facsimile numbers are not accessible to unit owners if consent to receive notice by electronic transmission is not provided in

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accordance with sub-subparagraph (c)3.e. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures.

b. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

c. All audits, reviews, accounting statements, and financial reports of the association or condominium.

d. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must

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be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection report as described in s. 718.301(4)(p).

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

18. A copy of all checklists and sworn affidavits executed in response to a unit owner's request for access to records pursuant to s. 718.111(12)(c).

19. A copy of any structural or engineering inspection report, completed on or after July 1, 2022.

~~18.~~ 20. All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(b) The official records specified in subparagraphs (a)1.-6. must be permanently maintained from the inception of the association. All other official records must be maintained within the state for at least 7 years, unless otherwise provided by general law. All official records must be maintained in a manner and format delineated by Division rule so that records are easily accessible for inspection. The Division shall adopt rules to ensure the availability and accessibility of records as required by this sub-section. The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10

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working days after receipt of a written request by the board or its designee. However, such distance requirement does not apply to an association governing a timeshare condominium. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property, or the association may offer the option of making the records available to a unit owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. The association is not responsible for the use or misuse of the information provided to an association member or his or her authorized representative pursuant to the compliance requirements of this chapter unless the association has an affirmative duty not to disclose such information pursuant to this chapter.

(c)1. The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The association must provide a checklist of all official records made available in response to a statutorily compliant written request. If any or all of the official records are not available, it must be noted accordingly on the checklist. Each checklist issued to a requestor in conjunction with an official records request must be accompanied by a sworn affidavit from the person facilitating or handling the request on behalf of the association, attesting that the requested documents have been provided to the requestor. The checklist must be maintained by the association for seven years. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member or authorized representative of such member. A renter of a unit has a right to inspect and copy the association's bylaws and rules. The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of

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record inspections and copying. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of

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scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and

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other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and all telephone numbers of each parcel owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

(d) The association shall prepare a question and answer sheet as described in s. 718.504, and shall update it annually.

(e)1. The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the condominium or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a

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reasonable fee to the prospective purchaser, lienholder, or the current unit owner for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed $150 plus the reasonable cost of photocopying and any attorney's fees incurred by the association in connection with the response.

2. An association and its authorized agent are not liable for providing such information in good faith pursuant to a written request if the person providing the information includes a written statement in substantially the following form: "The responses herein are made in good faith and to the best of my ability as to their accuracy."

(f) An outgoing board or committee member must relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within 5 days after the election. The division shall impose a civil penalty as set forth in s. 718.501(1)(d)6. against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

(g)1. ~~By January 1, 2019~~, January 1, 2023 an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of all official records of the association as specified in s. 718.111(12)(a)1.- 19. ~~the documents specified in subparagraph 2.~~ on its website.

a. The association's website must be:

(I) An independent website or web portal wholly owned and operated by the association; or

(II) A website or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, or collection of

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subpages or web portals dedicated to the association's activities and on which required notices, records, and documents may be posted by the association.

b. The association's website must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website that contain any notices, records, or documents that must be electronically provided.

~~2. A current copy of the following documents must be posted in digital format on the association's website:~~

~~a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.~~

~~b. The recorded bylaws of the association and each amendment to the bylaws.~~

~~c. The articles of incorporation of the association, or other documents creating the association, and each amendment thereto. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.~~

~~d. The rules of the association.~~

~~e. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website for 1 year. In lieu of summaries, complete copies of the bids may be posted.~~

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~~f. The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.~~

~~g. The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.~~

~~h. The certification of each director required by s. 718.112(2)(d)4.b.~~

~~i. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.~~

~~j. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 718.3027(3).~~

~~k. The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website, or on a separate subpage of the website labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.~~

~~l. Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice pursuant to s. 718.112(2)(c).~~

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website. If

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protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website, the association shall ensure the information is redacted before posting the documents online. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted pursuant to this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

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(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the most recent financial report or a notice that a copy of the most recent financial report will be mailed or hand delivered to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be

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limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare a complete set of financial statements in accordance with generally accepted accounting principles. The financial statements must be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

(b)1. An association with total annual revenues of less than $150,000 shall prepare a report of cash receipts and expenditures.

2. A report of cash receipts and disbursements must disclose the amount of receipts by accounts and receipt classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital

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expenditures, deferred maintenance, and any other category for which the association maintains reserves.

(c) An association may prepare, without a meeting of or approval by the unit owners:

1. Compiled, reviewed, or audited financial statements, if the association is required to prepare a report of cash receipts and expenditures;

2. Reviewed or audited financial statements, if the association is required to prepare compiled financial statements; or

3. Audited financial statements if the association is required to prepare reviewed financial statements.

(d) If approved by a majority of the voting interests present at a properly called meeting of the association, an association may prepare:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

Such meeting and approval must occur before the end of the fiscal year and is effective only for the fiscal year in which the vote is taken, except that the approval may also be effective for the following fiscal year. If the developer has not turned over control of the association, all unit owners, including the developer, may vote on issues related to the preparation of the association's financial reports, from the date of incorporation of the association through the end of the second fiscal year after the fiscal year in which the certificate of a surveyor and mapper is

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recorded pursuant to s. 718.104(4)(e) or an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit is recorded, whichever occurs first. Thereafter, all unit owners except the developer may vote on such issues until control is turned over to the association by the developer. Any audit or review prepared under this section shall be paid for by the developer if done before turnover of control of the association.

(e) A unit owner may provide written notice to the division of the association's failure to mail or hand deliver him or her a copy of the most recent financial report within 5 business days after he or she submitted a written request to the association for a copy of such report. If the division determines that the association failed to mail or hand deliver a copy of the most recent financial report to the unit owner, the division shall provide written notice to the association that the association must mail or hand deliver a copy of the most recent financial report to the unit owner and the division within 5 business days after it receives such notice from the division. An association that fails to comply with the division's request may not waive the financial reporting requirement provided in paragraph (d) for the fiscal year in which the unit owner's request was made and the following fiscal year. A financial report received by the division pursuant to this paragraph shall be maintained, and the division shall provide a copy of such report to an association member upon his or her request.

(f) By July 1, 2023, a copy of the financial statement as well as copies of adopted budgets of condominium associations, comprised of a threshold amount to be determined by the Division and as specified by rule shall be uploaded to the division's online web portal within 30 days within 30 days after the date the financial

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statements and the adopted budget are due in accordance with the association's governing documents, or if silent, pursuant to s. 718.112(2)(f), F.S., or within 30 days after the beginning of the fiscal year. The division shall have an online web portal system operational by January 1, 2023 which will allow for public searches by association name and fiscal year. The documents submitted to the division shall be maintained in the online web portal for three years.

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From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: FW: Bill Drafting....Education
Date: Wednesday, December 1, 2021 8:07:41 AM
Attachments: K-12 Shell.docx

Dee,

Can you please put this in bill drafting?
Thanks,
stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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A bill to be entitled

An act relating to K-12 Education; amending s. 1003.41, F.S.; renaming educational standards; amending ss. 1000.21 1001.215, 1002.33, 1002.45, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.34, 1007.35, and 1012.56, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 1000.21, Florida Statutes is amended to read:

1000.21 Systemwide definitions.-

(7) "~~Next Generation Sunshine State Standards~~ Educational Standards" means the state's public K-12 curricular standards adopted under s. 1003.41.

Section 2. Subsections (4) and (9) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office. -

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the educational standards pursuant to s. 1003.41~~Next Generation Sunshine State Standards~~ for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts

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instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8) and incorporate professional development to implement such strategies.

(9) Periodically review the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for English Language Arts to determine their appropriateness at each grade level.

Section 3. Subparagraph 2. of Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes is amended to read:

1002.33 Charter schools. –

(a) The charter shall address and criteria for approval of the charter shall be based on:

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the educational standards

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pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

Section 4. Subparagraph 7. of paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction. –

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(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

(4) CONTRACT REQUIREMENTS.— Each contract with an approved provider must at minimum:

(a) Set forth a detailed curriculum plan that illustrates how students will be provided services and be measured for attainment of proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for each grade level and subject.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Florida Educational ~~Next Generation Sunshine State~~ Standards. –

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(1) Florida Educational ~~Next Generation Sunshine State~~ Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Florida Educational ~~Next Generation Sunshine State~~ Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

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(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

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Section 6. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma. –

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for that subject. An applied course aligns with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

Section 7. Subparagraph 6. of paragraph (a) of subsection (3) of section 1003.499, Florida Statutes, is amended to read:

1003.499 Florida Approved Courses and Tests (FACT) Initiative. –

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider

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intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

Section 8. Section 1003.4995, Florida Statutes, is amended to read:

1003.4995 Fine arts report. –

The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. The report shall be posted on the Department of Education's website and updated annually.

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Section 9. Paragraph (b) of subsection (2) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials. -

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. Instructional materials used must be consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~.

Section 10. Paragraph (b) of subsection (1) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials reviewer. -

(b) By April 15 of each school year, the commissioner shall appoint three state or national experts in the content areas submitted for adoption to review the instructional materials and evaluate the content for alignment with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. These reviewers shall be designated as state instructional materials reviewers and shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The initial review of the materials

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shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.

Section 11. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer. -

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:

(a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role

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FL-GOV-22-0226, 20-0378-A-002512

and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.

(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

Section 12. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials. -

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002513

2. The educational purpose to be served by the material. Priority shall be given to the selection of materials that align with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards as provided for in s. 1003.41~~ and include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general education adopted by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Section 13. Paragraph (c) of subsection (6) of section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement. -

(c) Provide teacher training and materials that are aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.

Section 14. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.-

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002514

(4) ALIGNMENT OF SUBJECT AREAS. — The State Board of Education shall align the subject area examinations to the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

Section 15. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002515

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: alexander.dee@flsenate.gov
Cc: Burdette,Brenda
Subject: FW: Bill Drafting....Education
Date: Wednesday, December 1, 2021 8:07:37 AM
Attachments: K-12 Shell.docx

Dee,

Can you please put this in bill drafting?
Thanks,
stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to K-12 Education; amending s. 1003.41, F.S.; renaming educational standards; amending ss. 1000.21 1001.215, 1002.33, 1002.45, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.34, 1007.35, and 1012.56, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 1000.21, Florida Statutes is amended to read:

1000.21 Systemwide definitions.-

(7) "~~Next Generation Sunshine State Standards~~ Educational Standards" means the state's public K-12 curricular standards adopted under s. 1003.41.

Section 2. Subsections (4) and (9) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office. -

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the educational standards pursuant to s. 1003.41~~Next Generation Sunshine State Standards~~ for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts

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FL-GOV-22-0226, 20-0378-A-002517

instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8) and incorporate professional development to implement such strategies.

(9) Periodically review the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for English Language Arts to determine their appropriateness at each grade level.

Section 3. Subparagraph 2. of Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes is amended to read:

1002.33 Charter schools. –

(a) The charter shall address and criteria for approval of the charter shall be based on:

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the educational standards

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FL-GOV-22-0226, 20-0378-A-002518

pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

Section 4. Subparagraph 7. of paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction. –

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002519

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

(4) CONTRACT REQUIREMENTS.— Each contract with an approved provider must at minimum:

(a) Set forth a detailed curriculum plan that illustrates how students will be provided services and be measured for attainment of proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for each grade level and subject.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Florida Educational ~~Next Generation Sunshine State~~ Standards. –

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002520

(1) Florida Educational ~~Next Generation Sunshine State~~ Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Florida Educational ~~Next Generation Sunshine State~~ Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

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(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002522

Section 6. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma. –

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for that subject. An applied course aligns with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

Section 7. Subparagraph 6. of paragraph (a) of subsection (3) of section 1003.499, Florida Statutes, is amended to read:

1003.499 Florida Approved Courses and Tests (FACT) Initiative. –

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider

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FL-GOV-22-0226, 20-0378-A-002523

intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

Section 8. Section 1003.4995, Florida Statutes, is amended to read:

1003.4995 Fine arts report. –

The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. The report shall be posted on the Department of Education's website and updated annually.

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FL-GOV-22-0226, 20-0378-A-002524

Section 9. Paragraph (b) of subsection (2) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials. -

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. Instructional materials used must be consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~.

Section 10. Paragraph (b) of subsection (1) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials reviewer. -

(b) By April 15 of each school year, the commissioner shall appoint three state or national experts in the content areas submitted for adoption to review the instructional materials and evaluate the content for alignment with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. These reviewers shall be designated as state instructional materials reviewers and shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The initial review of the materials

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FL-GOV-22-0226, 20-0378-A-002525

shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.

Section 11. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer. -

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:

(a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role

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FL-GOV-22-0226, 20-0378-A-002526

and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.

(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

Section 12. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials. -

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002527

2. The educational purpose to be served by the material. Priority shall be given to the selection of materials that align with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards as provided for in s. 1003.41~~ and include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general education adopted by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Section 13. Paragraph (c) of subsection (6) of section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement. -

(c) Provide teacher training and materials that are aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.

Section 14. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.-

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002528

(4) ALIGNMENT OF SUBJECT AREAS. — The State Board of Education shall align the subject area examinations to the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

Section 15. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: FW: Bill Drafting....Education
Date: Wednesday, December 1, 2021 8:07:45 AM
Attachments: K-12 Shell.docx

Dee,

Can you please put this in bill drafting?
Thanks,
stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to K-12 Education; amending s. 1003.41, F.S.; renaming educational standards; amending ss. 1000.21 1001.215, 1002.33, 1002.45, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.34, 1007.35, and 1012.56, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 1000.21, Florida Statutes is amended to read:

1000.21 Systemwide definitions.-

(7) "~~Next Generation Sunshine State Standards~~ Educational Standards" means the state's public K-12 curricular standards adopted under s. 1003.41.

Section 2. Subsections (4) and (9) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office. -

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the educational standards pursuant to s. 1003.41~~Next Generation Sunshine State Standards~~ for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts

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AMERICAN OVERSIGHT

instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8) and incorporate professional development to implement such strategies.

(9) Periodically review the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for English Language Arts to determine their appropriateness at each grade level.

Section 3. Subparagraph 2. of Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes is amended to read:

1002.33 Charter schools. –

(a) The charter shall address and criteria for approval of the charter shall be based on:

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the educational standards

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002532

pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

Section 4. Subparagraph 7. of paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction. –

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002533

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

(4) CONTRACT REQUIREMENTS.— Each contract with an approved provider must at minimum:

(a) Set forth a detailed curriculum plan that illustrates how students will be provided services and be measured for attainment of proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for each grade level and subject.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Florida Educational ~~Next Generation Sunshine State~~ Standards. –

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002534

(1) Florida Educational ~~Next Generation Sunshine State~~ Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Florida Educational ~~Next Generation Sunshine State~~ Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

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AMERICAN OVERSIGHT

(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002536

Section 6. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma. –

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for that subject. An applied course aligns with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

Section 7. Subparagraph 6. of paragraph (a) of subsection (3) of section 1003.499, Florida Statutes, is amended to read:

1003.499 Florida Approved Courses and Tests (FACT) Initiative. –

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002537

intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

Section 8. Section 1003.4995, Florida Statutes, is amended to read:

1003.4995 Fine arts report. –

The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. The report shall be posted on the Department of Education's website and updated annually.

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Section 9. Paragraph (b) of subsection (2) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials. -

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. Instructional materials used must be consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~.

Section 10. Paragraph (b) of subsection (1) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials reviewer. -

(b) By April 15 of each school year, the commissioner shall appoint three state or national experts in the content areas submitted for adoption to review the instructional materials and evaluate the content for alignment with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. These reviewers shall be designated as state instructional materials reviewers and shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The initial review of the materials

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FL-GOV-22-0226, 20-0378-A-002539

shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.

Section 11. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer. -

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:

(a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role

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and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.

(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

Section 12. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials. -

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

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2. The educational purpose to be served by the material. Priority shall be given to the selection of materials that align with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards as provided for in s. 1003.41~~ and include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general education adopted by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Section 13. Paragraph (c) of subsection (6) of section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement. -

(c) Provide teacher training and materials that are aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.

Section 14. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.-

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(4) ALIGNMENT OF SUBJECT AREAS. — The State Board of Education shall align the subject area examinations to the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

Section 15. This act shall take effect July 1, 2022.

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002543

From: Kopelousos, Stephanie
To: Sweeney, Karen; Gayle
Subject: FW: Request from Sen. Harrell"s Office
Date: Thursday, March 17, 2022 3:06:00 PM

From: Myers, Robbie <Robbie.Myers@eog.myflorida.com>
Sent: Thursday, March 17, 2022 1:56 PM
To: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>; Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Myers, Cailey <Cailey.Myers@eog.myflorida.com>
Subject: Re: Request from Sen. Harrell's Office

Hi Brenda and Stephanie,

Gov. DeSantis recorded this Boys and Girls Club video request:

Boys & Girls Club Awards Night
YT
https://www.youtube.com/watch?v=Mprr84zwYLc

WT
https://we.tl/t-4dt9kez9qN

Could you please ensure that it gets to Sen. Harrell's office?

Regards,

Robbie Myers

From: Smith, Bailey A. <Bailey.A.Smith@eog.myflorida.com>
Date: Wednesday, March 9, 2022 at 12:54 PM
To: Myers, Cailey <Cailey.Myers@eog.myflorida.com>, Myers, Robbie <Robbie.Myers@eog.myflorida.com>
Cc: Fenske, Taryn M. <Taryn.M.Fenske@eog.myflorida.com>, Russo, Katherine <Katherine.Russo@eog.myflorida.com>
Subject: FW: Request from Sen. Harrell's Office

Please see the video request below. Adding KA to see if the First Lady would want to do this video again.

Thanks,
Bailey

AMERICAN OVERSIGHT

From: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Sent: Tuesday, March 8, 2022 11:38 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Fenske, Taryn M. <Taryn.M.Fenske@eog.myflorida.com>
Subject: Request from Sen. Harrell's Office

Anne with Sen. Harrell's office called this morning to make a request for the First Lady and/or the Governor to do a **"Welcome" video** for the **Boys and Girls Club - 2022 Youth of the Year' Awards Night** in St. Lucie County, FL at the end of March, first of April. The First Lady did a video last year for them.

Anne will get back with us on the extract date.

Anne can be reached at 850-487-5025

Thanks

Brenda Burdette
Executive Office of the Governor
Office of Legislative Affairs
The Capitol – PL 05
Tallahassee, Florida 32399
Email: Brenda.Burdette@eog.myflorida.com
Direct # 850-717-9265

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From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 11:55:00 AM
Attachments: 4.19.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bill today:

SB 7044 – Postsecondary Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 19, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 7044 – Postsecondary Education

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 19 AM 11:33
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002548

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 5, 2022
Date: Tuesday, April 5, 2022 3:14:00 PM

The Governor received the following bills today:

AMERICAN OVERSIGHT

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
CS/HB 469 - Patient Care in Health Care Facilities
CS/CS/HB 1239 - Nursing Homes
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1209 - Administration of Vaccines
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
CS/CS/HB 921 – Campaign Financing
SB 312 – Telehealth
CS/SB 566 - Mental Health Professional Licensure
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
CS/CS/SB 768 - Department of Health
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 632 - Occupational Therapy
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1360 – Governor's Medal of Freedom
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 988 - In-person Visitation
CS/SB 292 - Newborn Screenings
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1262 - Mental Health and Substance Abuse
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program

The Governor has until April 20, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor

AMERICAN OVERSIGHT

850-717-9320
850-510-6613 (cell)

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 1, 2022
Date: Friday, April 1, 2022 4:57:00 PM
Attachments: 4.1.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 3 – Law Enforcement

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 1, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 3 – Law Enforcement

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR -1 PM 4:36
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002554

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; 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Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 19, 2022
Date: Tuesday, April 19, 2022 8:30:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

SB 7044 – Postsecondary Education

The Governor has until May 4, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 2:40:00 PM
Attachments: 4.14.22 House Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 14, 2022

2022 APR 14 PM 2:15
OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/HB 5 – Reducing Fetal and Infant Mortality

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002559

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 14, 2022
Date: Thursday, April 14, 2022 9:20:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/HB 5 – Reducing Fetal and Infant Mortality

The Governor has until April 29, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 2:10:00 PM
Attachments: 4.12.22 Senate Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 12, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 7034 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 12 PM 1:21
SECRETARY OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002564

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 12, 2022
Date: Tuesday, April 12, 2022 8:47:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

CS/SB 7034 – Child Welfare

The Governor has until April 27, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; 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diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; 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Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 3:29:00 PM
Attachments: 4.11.22 House Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 11, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

HB 7065 – Child Welfare

Sincerely,

Ron DeSantis
Governor

2022 APR 11 PM 3:13
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 11, 2022
Date: Monday, April 11, 2022 9:51:00 AM

The Governor received the following bill today:

AMERICAN OVERSIGHT

HB 7065 – Child Welfare

The Governor has until April 26, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; 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dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Michelle.Voran@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action Today, April 6, 2022
Date: Wednesday, April 6, 2022 7:26:00 PM
Attachments: 4.6.22 House Transmittal letter.pdf
4.6.22 Senate Transmittal Letter.pdf

AMERICAN OVERSIGHT

The Governor signed the following bills today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 - Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Finance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 – Nursing Homes
CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth
SB 236 – Children with Developmental Delays
CS/SB 292 – Newborn Screenings
SB 312 – Telehealth
SB 534 – Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 – Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
CS/SB 632 – Occupational Therapy
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 – In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 – Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program
CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 – Mental Health and Substance Abuse
CS/CS/SB 1950 – Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

AMERICAN OVERSIGHT

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:14
SECRETARY OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 255 - Private Instructional Personnel Providing Applied Behavior Analysis Services
HB 459 – Step-Therapy Protocols
CS/HB 469 - Patient Care in Health Care Facilities
HB 539 - Nursing Home Financial Reporting
CS/CS/CS/HB 543 - Uterine Fibroid Research and Education
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 817 - Emergency Medical Care and Treatment to Minors Without Parental Consent
HB 855 – Managed Care Plan Performance
CS/CS/HB 893 - Child Welfare Placements
CS/CS/HB 921 – Campaign Financing
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/CS/HB 963 - Funding for Sheriffs
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/HB 1209 - Administration of Vaccines
CS/CS/HB 1239 - Nursing Homes

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002575

CS/HB 1249 - Treatment of Defendants Adjudicated Incompetent to Stand Trial
CS/HB 1521 - Professional Counselors Licensure Compact
HB 1523 - Pub. Rec. and Meetings/Professional Counselors Licensure Compact
CS/CS/HB 1577 - Homeless Youth

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 6, 2022

2022 APR -6 PM 5:05
SECRETARY OF STATE
TALLAHASSEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 236 – Children with Developmental Delays
CS/SB 292 - Newborn Screenings
SB 312 – Telehealth
SB 534 - Prescription Drugs Used in the Treatment of Schizophrenia for Medicaid Recipients
CS/SB 544 - Drug-related Overdose Prevention
CS/SB 566 - Mental Health Professional Licensure
CS/SB 632 - Occupational Therapy
SB 704 - Substance Abuse Service Providers
CS/CS/SB 926 - Licensure Examinations for Dental Practitioners
SB 934 – Public Records
CS/CS/SB 988 - In-person Visitation
CS/CS/SB 1222 - Acute and Post-acute Hospital Care at Home
CS/CS/SB 1262 - Mental Health and Substance Abuse
CS/CS/SB 1374 - Clinical Laboratory Testing
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 1712 - Veteran Suicide Prevention Training Pilot Program

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002577

CS/SB 1770 - Donor Human Milk Bank Services
CS/SB 1844 - Mental Health and Substance Abuse
CS/CS/SB 1950 - Statewide Medicaid Managed Care Program
SB 7002 - OGSR/Information Relating to Medical Marijuana Held by the Department of Health
SB 7008 - OGSR/Substance Abuse Impaired Persons
SB 7010 - OGSR/Public and Professional Guardians

Sincerely,

Ron DeSantis
Governor

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; "Jervonte.Edmonds@myfloridahouse.gov"; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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"Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "Gilley.Janice@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, April 20, 2022
Date: Wednesday, April 20, 2022 4:10:00 PM
Attachments: 4.20.22 Senate Transmittal Letter.pdf

The Governor signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/SB 768 – Department of Health

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

April 20, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/CS/SB 768 – Department of Health

Sincerely,

Ron DeSantis
Governor

FILED
2022 APR 20 AM 1:46
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002581

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

SB 98 – Emergency Preparedness and Response Fund

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002584

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; 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All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, February 10, 2022
Date: Thursday, February 10, 2022 5:11:47 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

The Governor has until February 17, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Cc: Burdette,Brenda; Spencer, Chris; DeCerchio, Anna; Beaubien, Beau; Kelly, Alex; Strickland, Katie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 10, 2022

Date: Thursday, February 10, 2022 5:11:47 PM

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CS/SB 96 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

SB 98 – Emergency Preparedness and Response Fund

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Stephanie

Stephanie Kopelousos
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perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, February 17, 2022

Date: Thursday, February 17, 2022 6:20:00 PM

Attachments: SLA-BIZHUB22021705500.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 96 – Emergency Preparedness and Response Fund

SB 98 – Emergency Preparedness and Response Fund

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks
Stephanie

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 17, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 96 – Emergency Preparedness and Response Fund
SB 98 – Emergency Preparedness and Response Fund

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002591

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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_All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 11:18:00 AM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

SB 236 – Children with Developmental Delays
SB 1552 – Direct-Support Organization for the Florida Prepaid College Board
SB 934 – Public Records
CS/SB 102 – Establishing the Congressional Districts of the State

The Governor has until April 13, 2022 to act on these bills.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 3:34:00 PM
Attachments: 3.28.22 House Transmittal Letter.pdf

The Governor's Office signed the following bill today:

AMERICAN OVERSIGHT

CS/CS/HB 1557 – Parental Rights in Education

Please see the attached transmittal letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 28, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the House during the 2022 Session, which I have approved today:

CS/CS/HB 1557 – Parental Rights in Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 28 PM 3:02
OF STATE
EE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002596

From: Kopelousos, Stephanie
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Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; 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"gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 28, 2022
Date: Monday, March 28, 2022 12:27:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

HB 459 – Step-Therapy Protocols
HB 593 – Telecommunicator Cardiopulmonary Resuscitation
HB 631 – Airport Funding
HB 855 – Managed Care Plan Performance
CS/HB 925 – Benchmark Replacements for London Interbank Offered Rate
CS/HB 1099 – Living Organ Donors in Insurance Policies
CS/CS/HB 1557 – Parental Rights in Education

The Governor has until April 12, 2022 to act on these bills.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 25, 2022
Date: Friday, March 25, 2022 2:46:00 PM
Attachments: 3.25.22 House Transmittal Letter.pdf
3.25.22 Senate Transmittal Letter.pdf

The Governor's Office signed the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education
SB 418 – The Assistive Technology Advisory Council

Please see the attached transmittal letters.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the House during the 2022 Session, which I have approved today:

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

Sincerely,

Ron DeSantis
Governor

2022 MAR 25 PM 1:36
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002601

RON DESANTIS
GOVERNOR

March 25, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 418 – The Assistive Technology Advisory Council

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 25 PM 1:35
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 22, 2022
Date: Tuesday, March 22, 2022 12:43:00 PM

The Governor's Office received the following bills today:

AMERICAN OVERSIGHT

CS/HB 173 – Care of Students with Epilepsy or Seizure Disorders
HB 235 – Restraint of Students with Disabilities in Public Schools
CS/HB 1467 – K-12 Education

The Governor has until April 6, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"

Subject: Governor Ron DeSantis" Bill Action Today, March 21, 2022

Date: Monday, March 21, 2022 5:05:00 PM

The Governor's Office received the following bills today:

SB 418 – The Assistive Technology Advisory Council

AMERICAN OVERSIGHT

SB 1054 – Financial Literacy Instruction in Public Schools

The Governor has until April 5, 2022 to act on these bills.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022

Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action Today, March 3, 2022
Date: Thursday, March 3, 2022 8:11:00 PM

The Governor's Office received the following bill today:

CS/SB 282 – Mental Health and Substance Use Disorders

AMERICAN OVERSIGHT

The Governor has until March 10, 2022 to act on this bill.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; 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"Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"
Subject: Governor Ron DeSantis" Bill Action Today, March 29, 2022
Date: Tuesday, March 29, 2022 1:29:00 PM
Attachments: 3.29.22 Senate.CSSB102.pdf
3.29.22 CSSB102.Legal Memo.pdf

AMERICAN OVERSIGHT

The Governor's Office Vetoed the following bill today:

CS/SB 102 – Establishing the Congressional Districts of the State

Please see the attached Veto Letter.

Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 29, 2022

2022 MAR 29 AM 11:58
OF STATE
SEE, FL

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Constitution of Florida, I do hereby vetó and transmit my objection to **CS/SB 102**, enacted during the 124th Session of the Legislature of Florida, during Regular Session 2022 and entitled:

An act relating to establishing the congressional districts of the state

As presented in both the primary and secondary maps enacted by the Legislature, Congressional District 5 violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution for the reasons set forth in the attached memorandum. Although I understand the Legislature's desire to comply with the Florida Constitution, the Legislature is not absolved of its duty to comply with the U.S. Constitution. Where the U.S. and Florida Constitutions conflict, the U.S. Constitution must prevail.

Accordingly, I withhold my approval of **CS/SB 102** and do hereby veto the same.

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

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FL-GOV-22-0226, 20-0378-A-002613

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

RON DESANTIS
GOVERNOR

MEMORANDUM

To: Ron DeSantis, Governor of Florida

From: Ryan Newman, General Counsel, Executive Office of the Governor RDN

Date: March 29, 2022

Re: Constitutionality of CS/SB 102, An Act Relating to Establishing the Congressional Districts of the State

Congressional District 5 in both the primary and secondary maps enacted by the Legislature violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest.

"Just as the State may not, absent extraordinary justification, segregate citizens on the basis of race in its public parks, buses, golf courses, beaches, and schools," the U.S. Supreme Court has made clear that the State also "may not separate its citizens into different voting districts on the basis of race." *Miller v. Johnson*, 515 U.S. 900, 911 (1995) (internal citations omitted). "When the State assigns voters on the basis of race," the Court explained, "it engages in the offensive and demeaning assumption that voters of a particular race, because of their race, 'think alike, share the same political interests, and will prefer the same candidates at the polls.'" *Id.* at 911-12 (quoting *Shaw v. Reno*, 509 U.S. 630, 647 (1993)).

For these reasons, the Court has interpreted the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution to prohibit state legislatures from using race as the "predominant factor motivating [their] decision to place a significant number of voters within or without a particular district," *id.* at 916, unless they can prove that their "race-based sorting of voters serves a 'compelling interest' and is 'narrowly tailored' to that end," *Cooper v. Harris*, 137 S. Ct. 1455, 1464 (2017) (citation omitted). That race was the predominant factor motivating a legislature's line-drawing decision can be shown "either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose." *Miller*, 515 U.S. at 916.

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Although non-adherence to traditional districting principles, which results in a non-compact, unusually shaped district, is relevant evidence that race was the predominant motivation of a legislature, such evidence is not required to establish a constitutional violation. "Race may predominate even when a reapportionment plan respects traditional principles, . . . if '[r]ace was the criterion that, in the State's view, could not be compromised,' and race-neutral considerations 'came into play only after the race-based decision had been made.'" *Bethune-Hill v. Va. State Bd. of Elections*, 137 S. Ct. 788, 798 (2017) (quoting *Shaw v. Hunt*, 517 U.S. 899, 907 (1996) (alteration in original)). "The racial predominance inquiry concerns the actual considerations that provided the essential basis for the lines drawn, not *post hoc* justifications the legislature in theory could have used but in reality did not." *Id.* at 799. A legislature "could construct a plethora of potential maps that look consistent with traditional, race-neutral principles," but "if race for its own sake is the overriding reason for choosing one map over others, race still may predominate." *Id.* It is the "racial purpose of state action, not its stark manifestation," that offends the Equal Protection Clause. *Miller*, 515 U.S. at 913.

In light of these well-established constitutional principles, the congressional redistricting bill enacted by the Legislature violates the U.S. Constitution. The bill contains a primary map and secondary map that include a racially gerrymandered district—Congressional District 5—that is not narrowly tailored to achieve a compelling state interest. *See generally* Fla. H.R. Comm. on Redist., recording of proceedings, at 0:00-2:55:19 (Feb. 25, 2022), https://thefloridachannel.org/videos/2-25-22-house-redistricting-committee/ (committee presentation and discussion of the maps later passed by the Legislature).

In the secondary map, which was the original map reported out of the House Congressional Redistricting Subcommittee, District 5 is a sprawling district that stretches approximately 200 miles from East to West and cuts across eight counties to connect a minority population in Jacksonville with a separate and distinct minority population in Leon and Gadsden Counties. The district is not compact, does not conform to usual political or geographic boundaries, and is bizarrely shaped to include minority populations in western Leon County and Gadsden County while excluding non-minority populations in eastern Leon County. Because this version of District 5 plainly subordinates traditional districting criteria to avoid diminishment of minority voting age population, there is no question that race was "the predominant factor motivating the legislature's decision" to draw this district. *Miller*, 515 U.S. at 916.

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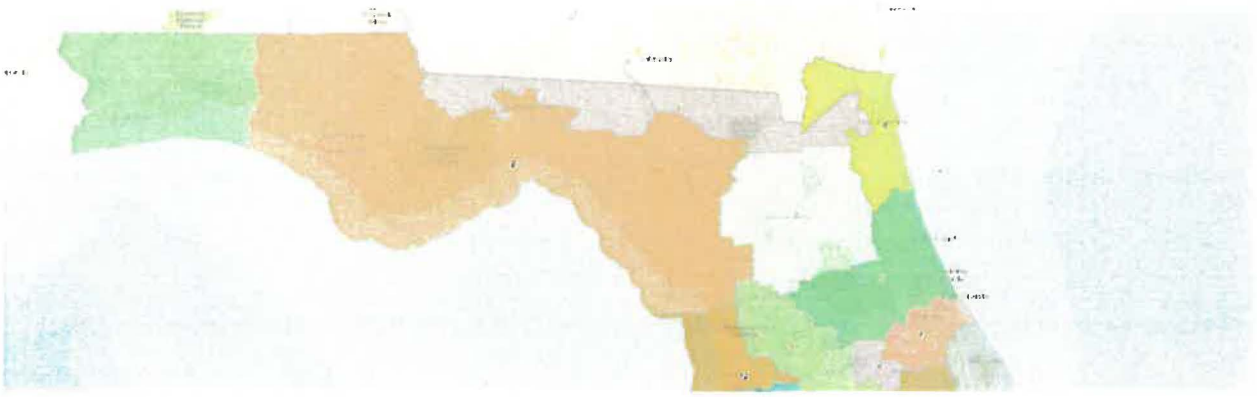
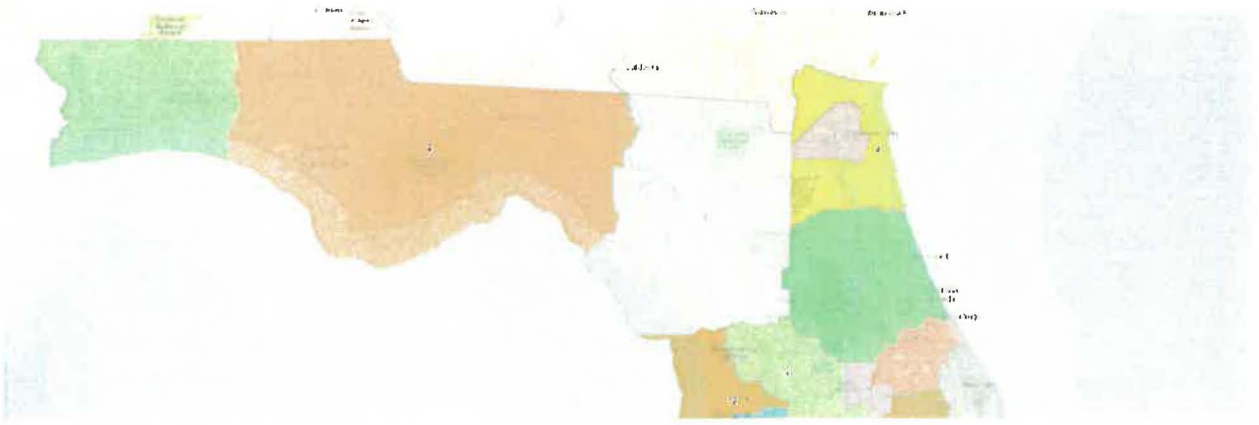
District 5 in the Secondary Map (Purple)



In response to federal constitutional concerns about the unusual shape of District 5 as it was originally drawn, and which is now reflected in the secondary map, the House Redistricting Committee drew a new version of District 5, which is reflected in the primary map. This configuration of the district is more compact but has caused the adjacent district—District 4—to take on a bizarre doughnut shape that almost completely surrounds District 5. The reason for this unusual configuration is the Legislature's desire to maximize the black voting age population in District 5. The Chair of the House Redistricting Committee confirmed this motivation when he explained that the new District 5 was drawn to "protect[] a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022).

District 5 in the Primary Map (Purple)



Despite the Legislature's attempt to address the federal constitutional concerns by drawing a more compact district, the constitutional defect nevertheless persists. Where "race was the criterion that, in the State's view, could not be compromised, and race-neutral considerations came into play only after the race-based decision had been made," it follows that race was the predominant factor, even though the district

AMERICAN OVERSIGHT

otherwise respects traditional districting principles. *Bethune-Hill*, 137 S. Ct. at 798 (cleaned up).

Such was the case here. Even for the more compact district, the Legislature believed (albeit incorrectly) that the Florida Constitution required it to ensure "a black minority seat in north Florida." Fla. H.R. Comm. on Redist., recording of proceedings, at 19:15-19:26 (Feb. 25, 2022). Specifically, according to the House Redistricting Chair, the primary map's version of District 5 is the House's "attempt at continuing to protect the minority group's ability to elect a candidate of their choice." *Id.* at 19:45-19:54. The Legislature thus used "an express racial target" for District 5 of a black voting age population sufficiently large to elect a candidate of its choice. *Bethune-Hill*, 137 S. Ct. at 800.

Because racial considerations predominated even in drawing the new District 5, the Legislature must satisfy strict scrutiny, the U.S. Supreme Court's "most rigorous and exacting standard of constitutional review." *Miller*, 515 U.S. at 920. And to satisfy strict scrutiny, the Legislature "must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest." *Id.* That, the Legislature cannot do.

There is no good reason to believe that District 5 needed to be drawn as a minority-performing district to comply with Section 2 of the Voting Rights Act (VRA), because the relevant minority group is not sufficiently large to constitute a majority in a geographically compact area. In the primary map, the black voting age population of District 5 is 35.32%, and even in the secondary map, with the racially gerrymandered, non-compact version of District 5, the black voting age population increases only to 43.48%. *Compare* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8015, https://bit.ly/36hFRBB (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). "When a minority group is not sufficiently large to make up a majority in a reasonably shaped district, § 2 simply does not apply." *Cooper*, 137 S. Ct. at 1472 (citing *Bartlett v. Strickland*, 556 U.S. 1, 18-20 (2009) (plurality opinion)); *see also Thornburg v. Gingles*, 478 U.S. 30, 50 (1986) (explaining that one of the threshold conditions for proving vote dilution under Section 2 is that the minority group is "sufficiently large and geographically compact to constitute a majority").

Nor is there good reason to believe that District 5 is required to be drawn to comply with Section 5 of the VRA. Section 5 is no longer operative now that the U.S. Supreme Court invalidated the VRA's formula for determining which jurisdictions are subject to Section 5. *See Shelby Cnty. v. Holder*, 570 U.S. 529, 553-57 (2013); *see also Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 279 (2015) (suggesting that continued compliance with Section 5 may not remain a compelling interest in light of *Shelby County*). In any event, even before the coverage formula was invalidated, the State of

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Florida was not a covered jurisdiction subject to Section 5. *See In re Senate Joint Resolution of Legislative Apportionment 1176* (*Apportionment I*), 83 So. 3d 597, 624 (Fla. 2012). Only five counties in Florida were covered—Collier, Hardee, Hendry, Hillsborough, and Monroe—and none of them are in northern Florida where District 5 is located. *See id.*

The only justification left for drawing a race-based district is compliance with Article III, Section 20(a) of the Florida Constitution. But District 5 does not comply with this provision. Article III, Section 20(a) provides that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." The Florida Supreme Court has noted that these "dual constitutional imperatives follow almost verbatim the requirements embodied in the Federal Voting Rights Act." *Id.* at 619 (cleaned up). The first imperative, which prohibits districts that deny or abridge the equal opportunity of minority groups to participate in the political process, is modeled after Section 2 of the VRA, and the second imperative, which prohibits districts that diminish the ability of minority groups to elect representatives of their choice, is modeled after Section 5. *Id.* at 619-20.

Like the VRA, these provisions of the Florida Constitution "aim[] at safeguarding the voting strength of minority groups against both impermissible dilution and retrogression." *Id.* at 620. Although judicial interpretation of the VRA is relevant to understanding the Florida Constitution's non-dilution and non-diminishment provisions, the Florida Supreme Court nonetheless recognizes its "independent constitutional obligation" to interpret these provisions. *Id.* at 621.

Relevant here is the Florida Constitution's non-diminishment requirement. Unlike Section 5 of the VRA, this requirement "applies to the entire state." *Id.* at 620. Under this standard, the Legislature "cannot eliminate majority-minority districts or weaken other historically performing minority districts where doing so would actually diminish a minority group's ability to elect its preferred candidates." *Id.* at 625. The existing districts "serve[] as the 'benchmark' against which the 'effect' of voting changes is measured." *Id.* at 624 (cleaned up). Where a voting change leaves a minority group "less able to elect a preferred candidate of choice" than the benchmark, that change violates the non-diminishment standard. *Id.* at 625 (internal quotation marks omitted); *see also id.* at 702 (Canady, C.J., concurring in part and dissenting in part) (noting that the dictionary definition of "diminish" means "to make less or cause to appear less" (citation omitted)).

The Florida Supreme Court has acknowledged that "a slight change in percentage of the minority group's population in a given district does not necessarily have a cognizable effect on a minority group's ability to elect its preferred candidate of choice." *Id.* at 625. The minority population percentage in each district need not be

AMERICAN OVERSIGHT

"fixed" in perpetuity. *Id.* at 627. But where the reduction in minority population in a given district is more than "slight," such that the ability of the minority population to elect a candidate of choice has been reduced (even if not eliminated), the Legislature has violated the Florida Constitution's non-diminishment requirement as interpreted by the Florida Supreme Court.

Given these principles, there is no good reason to believe that District 5, as presented in the primary map, complies with the Florida Constitution's non-diminishment requirement. The benchmark district contains a black voting age population of 46.20%, whereas the black voting age population of District 5 in the primary map is only 35.32%.[1] *Compare* Fla. Redist. 2022, FLCD2016, https://bit.ly/3Iv6FeW (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022), *with* Fla. Redist. 2022, H000C8019, https://bit.ly/3uczOXb (available at floridaredistricting.gov/pages/submitted-plans) (last visited Mar. 28, 2022). This nearly eleven percentage point drop is more than slight, and while the House Redistricting Chair represented that the black population of the district could still elect a candidate of choice, *see* Fla. H.R. Comm. on Redist., recording of proceedings, at 59:44-1:00:17 (Feb. 25, 2022), there appears to be little dispute that the ability of the black population to elect such a candidate had nevertheless been reduced, *see id.* at 1:00:18-1:00:58 (noting that the benchmark district performed for the minority candidate of choice in 14 of 14 previous elections and that the new district would not perform for the minority candidate of choice in one-third of the same elections).

Moreover, the House Redistricting Chair claimed that the only criterion that mattered was whether the new district still performed at all. *See id.* at 1:06:09-1:06:30 ("It is not a diminishment unless the district does not perform."); *see also id.* at 1:05:05-1:05:13 ("Is it less likely to perform? Honestly, I don't know."). But that view is plainly inconsistent with the Florida Supreme Court precedent described above, which prohibits any voting change that leaves a minority group "less able to elect a preferred candidate of choice." *Apportionment I*, 83 So. 3d at 625 (internal quotation marks omitted). In sum, because the reduction of black voting age population is more than slight and because such reduction appears to have diminished the ability of black voters to elect a candidate of their choice, District 5 does not comply with the non-diminishment requirement of Article III, Section 20(a) of the Florida Constitution. Therefore, compliance with the Florida Constitution cannot supply the compelling reason to justify the Legislature's use of race in drawing District 5 in the primary map.

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[1] The benchmark district itself is a sprawling, non-compact racial gerrymander that connects minority communities from two distinct regions of the State; however, for purposes of this point, I assume that the district can be used as a valid benchmark against which to judge the new maps.

AMERICAN OVERSIGHT

In the secondary map, by contrast, District 5 complies with the Florida Constitution's non-diminishment requirement, but in doing so, it violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. The U.S. Supreme Court has warned that a "reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who may have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid." *Shaw*, 509 U.S. at 647. As described earlier, District 5 in the secondary map does precisely this.

That the district is believed to be necessary to comply with the Florida Constitution's non-diminishment requirement does not alone suffice to justify the use of race in drawing bizarre, non-compact district boundaries for the sole purpose of cobbling together disparate minority populations from across northern Florida to form a minority-performing district. Mere compliance with a state constitutional requirement to engage in race-based districting is not, without more, a compelling interest sufficient to satisfy strict scrutiny. The Fourteenth and Fifteenth Amendments to the U.S. Constitution and the VRA, which enforces the Fifteenth Amendment, exist to *prevent* states from engaging in racially discriminatory electoral practices. Indeed, one such weapon that states long used, and that the VRA was designed to combat, "was the racial gerrymander—the deliberate and arbitrary distortion of district boundaries for racial purposes." *Id.* at 640 (cleaned up).

Here, the Florida Constitution's non-diminishment standard would be satisfied only by a sprawling, non-compact district that spans 200 miles and repeatedly violates traditional political boundaries to join minority communities from disparate geographic areas. Such a district is not narrowly tailored to achieve the compelling interest of protecting the voting rights of a minority community in a reasonably cohesive geographic area. As applied to District 5 in the secondary map, therefore, the Florida Constitution's non-diminishment standard cannot survive strict scrutiny and clearly violates the U.S. Constitution.

For the foregoing reasons, Congressional District 5 in both maps is unlawful.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

AMERICAN OVERSIGHT

SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002623

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 17, 2022

Date: Thursday, February 17, 2022 6:21:00 PM

The Governor's Office received the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

AMERICAN OVERSIGHT

SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

The Governor has until February 24, 2022 to act on these bills.

Thanks
Stephanie

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 17, 2022

Date: Thursday, February 17, 2022 6:21:00 PM

The Governor's Office received the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

SB 850 – Florida Statutes

AMERICAN OVERSIGHT

SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

The Governor has until February 24, 2022 to act on these bills.

Thanks
Stephanie

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; 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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, February 24, 2022

Date: Thursday, February 24, 2022 5:17:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bills today:

SB 846 – Florida Statutes

SB 848 – Florida Statutes

AMERICAN OVERSIGHT

SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018- A Review under the Open Government Sunset Review Act

Please see the attached transmittal letter.

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

February 24, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

SB 846 – Florida Statutes
SB 848 – Florida Statutes
SB 850 – Florida Statutes
SB 852 – Florida Statutes
SB 854 – Florida Statutes
SB 7000 – A Review under the Open Government Sunset Review Act
SB 7004 – A Review under the Open Government Sunset Review Act
SB 7014 – COVID-19 – related claims against health care providers
SB 7018 – A Review under the Open Government Sunset Review Act

FILED
2022 FEB 24 PM 4:12
SECRETARY OF STATE
TALLAHASSEE, FL

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002630

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 15, 2022
Date: Tuesday, March 15, 2022 6:26:00 PM
Attachments: Transmittal Letter.SB520 & SB1048.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 15 PM 3:50
DEPARTMENT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002633

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Omphroy, Anika; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov

Subject: Governor Ron DeSantis" Bill Action today, March 15, 2022

Date: Tuesday, March 15, 2022 6:26:00 PM

Attachments: Transmittal Letter.SB520 & SB1048.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 520 – Public Records and Public Meetings

AMERICAN OVERSIGHT

CS/SB 1048 – Student Assessments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 15, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 520 – Public Records and Public Meetings
CS/SB 1048 – Student Assessments

Sincerely,

Ron DeSantis
Governor

2022 MAR 15 PM 3:50
OFFICE OF STATE
TALLAHASSEE, FL
FILED

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002636

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Omphroy, Anika; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 3:55:00 PM

Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

CS/SB 282 – Mental Health and Substance Use Disorders

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE FL

AMERICAN OVERSIGHT

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

FL-GOV-22-0226, 20-0378-A-002639

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022
Date: Thursday, March 10, 2022 3:55:00 PM
Attachments: SLA-BIZHUB22031014021.pdf

Governor Ron DeSantis signed the following bills today:

AMERICAN OVERSIGHT

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 10, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing are acts that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 282 – Mental Health and Substance Use Disorders
CS/SB 1658 – Executive Appointments

Sincerely,

Ron DeSantis
Governor

2022 MAR 10 PM 2:01
DEPT OF STATE
TALLAHASSEE FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002642

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; 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harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 10, 2022

Date: Thursday, March 10, 2022 11:48:00 AM

The Governor's Office received the following bill today:

CS/SB 1658 – Executive Appointments

AMERICAN OVERSIGHT

The Governor has until March 17, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

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Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022

Date: Monday, March 7, 2022 5:25:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

Please see the attached transmittal letter.

Thanks

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002647

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD
Subject: Governor Ron DeSantis" Bill Action today, March 7, 2022
Date: Monday, March 7, 2022 5:25:00 PM
Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

Please see the attached transmittal letter.

Thanks
Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 7, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

CS/SB 1006 – State Symbols

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR -7 PM 4:56
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002650

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau
Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"
Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022
Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

AMERICAN OVERSIGHT

CS/SB 1006 – State Symbols

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Cc: Spencer, Chris; DeCerchio, Anna; Kelly, Alex; Strickland, Katie; Beaubien, Beau

Bcc: _All EOG OPB SDD; ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; Daryl.Campbell@myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; mat.bahl@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov; Betta.Katherine@flsenate.gov; Burns.Dana@flsenate.gov; Steinbaugh, India; Mears.Kathy@flsenate.gov

Subject: Governor Ron DeSantis" Bill Action today, March 4, 2022

Date: Friday, March 4, 2022 6:15:00 PM

The Governor's Office received the following bill today:

CS/SB 1006 – State Symbols

AMERICAN OVERSIGHT

The Governor has until March 11, 2022 to act on this bill.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; "Daryl.Campbell@myfloridahouse.gov"; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; 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Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Jeff.Takacs@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Linda.Segall@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "mat.bahl@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "ehockey.sean@flsenate.gov"; "druckman.zoraida@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"; "Betta.Katherine@flsenate.gov"; "Burns.Dana@flsenate.gov"; Steinbaugh, India; "Mears.Kathy@flsenate.gov"; _All EOG OPB SDD

Subject: Governor Ron DeSantis" Bill Action today, March 22, 2022

Date: Tuesday, March 22, 2022 3:21:00 PM

Attachments: Transmittal Letter.pdf

Governor Ron DeSantis signed the following bill today:

AMERICAN OVERSIGHT

SB 1054 - Financial Literacy Instruction in Public Schools

Please see the attached transmittal letter.

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

RON DESANTIS
GOVERNOR

March 22, 2022

Secretary Laurel Lee
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Lee:

Enclosed for filing is an act that originated in the Senate during the 2022 Session, which I have approved today:

SB 1054 – Financial Literacy Instruction in Public Schools

Sincerely,

Ron DeSantis
Governor

FILED
2022 MAR 22 PM 2:52
DEPT OF STATE
TALLAHASSEE, FL

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002657

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; 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Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; Mears, Kathy; mat.bahl@myfloridahouse.gov
Subject: Invite - State of the State Reception 2022
Date: Saturday, January 8, 2022 11:32:03 AM
Attachments: Invite - State of the State Reception 2022.pdf

You should have received this invite already through our scheduling office. I just wanted to make sure the invite did not go to spam. Please RSVP through the scheduling email or respond to Casey.Smith@eog.myflorida.com so I can make sure you are on this list. Look forward to seeing you next week. Please don't hesitate to contact me if you have any questions.

The Governor and First Lady

AMERICAN OVERSIGHT

of the
State of Florida

are looking forward to hosting you at

The State of the State Reception

The Governor's Mansion
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Tallahassee, Florida
On Tuesday, January 11, 2022
6:00 p.m. – 7:30 p.m.

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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002660

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,

To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; LaMarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; Harrell, Gayle; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Mears, Kathy; mat.bahl@myfloridahouse.gov

Subject: Invite - State of the State Reception 2022

Date: Saturday, January 8, 2022 11:32:03 AM

Attachments: Invite - State of the State Reception 2022.pdf

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AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0378-A-002663

From:	Kopelousos, Stephanie
To:	"Alexander, Dee"
Cc:	Burdette,Brenda
Subject:	RE: 4-01453-22 - Fuel Tax
Date:	Tuesday, January 4, 2022 2:28:57 PM

thanks

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Tuesday, January 4, 2022 2:29 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: RE: 4-01453-22 - Fuel Tax

Submitted.

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 7:51 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: 4-01453-22 - Fuel Tax

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

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Cc:	Burdette,Brenda
Subject:	RE: 4-01453-22 - Fuel Tax
Date:	Tuesday, January 4, 2022 2:29:05 PM

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To:	Alexander, Dee
Subject:	RE: Fuel Tax Draft A
Date:	Friday, January 7, 2022 9:59:50 AM
Attachments:	image001.png

She is right…need to extend it in the other section as well..
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Stephanie

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Friday, January 7, 2022 9:10 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: Fuel Tax Draft A

See attached.
Here are drafters comments:

Sarah Shuler: (1/5/2022 9:09 AM):
Hi Dee,
One additional question--now that this version has lengthened the tax relief period beyond the month of October, should Section 10 of the draft be revised to refer to the new extended time period instead of only October?

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Hi Dee,
I wanted to mention that in Section 13 of the draft, I revised the last line of each subsection to refer to Section 2 of the act instead of Section 12. I believe this was a typo since Section 12 refers to appropriations, while Section 2 speaks to the noncollection of taxes. Please ensure that this conforms with what was intended. Please let me know if you have any questions.

Dee Alexander | Sr. Chief Legislative Aide
President Pro Tempore Aaron Bean | Florida Senate 4th District
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218

AMERICAN OVERSIGHT

Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578
alexander.dee@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Kopelousos, Stephanie
To: "Alexander, Dee"
Subject: RE: State Attorney
Date: Friday, January 7, 2022 9:29:28 AM
Attachments: Final.Gov State Attorney DRAFT A.billdraft86075.docx

---

Dee this is the final edit. Thank you

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Friday, January 7, 2022 12:47 AM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: RE: State Attorney

Stephanie—
Here is our redraft A.
Please review and let me know Friday if more changes are needed.

Here are comments from the drafter as well:
Gabriel Girado: (1/5/2022 8:55 AM):
Hi Dee,

Redrafted as requested; however, on lines 45, 53, 59, and 65-66 the phrase "the criminal laws of the State of Florida" could also be written as "the criminal laws of this state." This phrasing is more common in the statutes. If you'd like to make this change, or any other changes, please let us know via a redraft request. If you have any questions or concerns please do not hesitate to reach out to me.

Kind regards,
Gabriel

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President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Thursday, January 6, 2022 3:42 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: State Attorney

AMERICAN OVERSIGHT

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
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AMERICAN OVERSIGHT

4-01445A-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; providing the duties of state attorneys; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; requiring the state attorney to provide a specified statement or written response, upon the Governor's request; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002675

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of ~~the State of Florida~~ this state. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. The adoption of a blanket policy, whether verbal or in writing, to not prosecute any type of offense, including a capital offense; to downgrade charges for any type of offense; or to not seek an otherwise authorized sentence for any type of offense, including, but not limited to, prison or the death penalty, ~~of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases,~~ shall constitute~~s evidence of~~ a failure to faithfully enforce the criminal laws of this state. ~~the State of Florida.~~

AMERICAN OVERSIGHT

(2) It is the duty of the state attorney, upon request of the Governor, ~~to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or~~ to promptly provide information in writing on any subject relating to the execution of the duty to faithfully enforce the criminal laws of ~~the State of Florida~~ this state, as set forth in subsection (1), including, but not limited to, any policies, whether verbal or in writing, to not prosecute any type of offense, including a capital offense; to downgrade charges for any type of offense; or to not seek an otherwise authorized sentence for any type of offense, including, but not limited to, prison or the death penalty. ~~prohibiting or restricting the prosecution of any type of case.~~

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of this state ~~the State of Florida,~~ as set forth in subsection (1), or the state attorney's failure to comply with a request made by the Governor as described in subsection (2).

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

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Attachments:	Final.Gov State Attorney DRAFT A.billdraft86075.docx

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Sent: Thursday, January 6, 2022 3:42 PM
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Subject: State Attorney

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27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002680

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of ~~the State of Florida~~ this state. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. The adoption of a blanket policy, whether verbal or in writing, to not prosecute any type of offense, including a capital offense; to downgrade charges for any type of offense; or to not seek an otherwise authorized sentence for any type of offense, including, but not limited to, prison or the death penalty, ~~of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases,~~ shall constitute~~s evidence of~~ a failure to faithfully enforce the criminal laws of this state. ~~the State of Florida.~~

AMERICAN OVERSIGHT

(2) It is the duty of the state attorney, upon request of the Governor, ~~to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or~~ to promptly provide information in writing on any subject relating to the execution of the duty to faithfully enforce the criminal laws of ~~the State of Florida~~ this state, as set forth in subsection (1), including, but not limited to, any policies, whether verbal or in writing, to not prosecute any type of offense, including a capital offense; to downgrade charges for any type of offense; or to not seek an otherwise authorized sentence for any type of offense, including, but not limited to, prison or the death penalty. ~~prohibiting or restricting the prosecution of any type of case.~~

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of this state ~~the State of Florida,~~ as set forth in subsection (1), or the state attorney's failure to comply with a request made by the Governor as described in subsection (2).

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "Alexander, Dee"
Subject: RE: Transfer draft #4-01445B-22 State Attorney
Date: Friday, January 7, 2022 12:50:15 PM
Attachments: image001.png

Thank you…..Did they make edits

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Friday, January 7, 2022 12:37 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Transfer draft #4-01445B-22 State Attorney

Done

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>
Sent: Friday, January 7, 2022 12:19 PM
To: Ruiz, Judith <Ruiz.Judith@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: RE: Transfer draft #4-01445B-22 State Attorney

This has been transferred to Senator Diaz.

From: Ruiz, Judith <Ruiz.Judith@flsenate.gov>
Sent: Friday, January 7, 2022 12:03 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>; Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: Re: Transfer draft #4-01445B-22 State Attorney

Senator Diaz accepts the transfer

Sent from my iPhone

> On Jan 7, 2022, at 11:55 AM, Alexander, Dee <ALEXANDER.DEE@flsenate.gov> wrote:
>
> Hello Lisa—

AMERICAN OVERSIGHT

Please transfer the above referenced draft to Senator Manny Diaz. His staff is copied on this email and will respond.

Appreciate it,
Dee

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Alexander, Dee
Subject:	RE: Transfer draft #4-01445B-22 State Attorney
Date:	Friday, January 7, 2022 12:50:15 PM
Attachments:	image001.png

Thank you…..Did they make edits

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Friday, January 7, 2022 12:37 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Transfer draft #4-01445B-22 State Attorney

Done

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
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Sent from my iPhone

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AMERICAN OVERSIGHT

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Appreciate it,
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Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Kopelousos, Stephanie
To: "Alexander, Dee"
Cc: Corcoran, Chad
Subject: RE: Your drafts
Date: Tuesday, January 4, 2022 1:02:40 PM
Attachments: Gov.State Attorney.billdraft86075 + RDN edits.docx

---

Dee,
Here are a few edits for the attached bill.
Thanks,
Stephanie

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Wednesday, December 22, 2021 1:34 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: Fwd: Your drafts

Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas
Dee

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Begin forwarded message:

> **From:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Date:** December 15, 2021 at 5:27:03 PM EST
> **To:** "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
> **Cc:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Subject: Your drafts**
>
> Stephanie---

AMERICAN OVERSIGHT

1. Here are 6 of your 8 drafts that are currently 'released for approval'.

2. The attached 'Abortion Option 1' draft has the following comments from the drafter:

Oaj Gilani: (12/3/2021 12:29 PM):
Hi Dee,
I wanted to explain the changes I made in drafting this bill. The attachment wanted to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

3. The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:

Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.
NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

4. Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

AMERICAN OVERSIGHT

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-002692

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

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(1) It is the duty of the state attorney to faithfully enforce the criminal laws of the State of Florida. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. ~~and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty.~~ The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to ~~exercise prosecutorial discretion~~ faithfully enforce the criminal laws of the State of Florida.

AMERICAN OVERSIGHT

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Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

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Senator Aaron Bean | Florida Senate 4th District
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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Dee Alexander | Sr. Chief Legislative Aide
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President Pro Tempore
Main 904.757.5039 Jacksonville
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AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

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(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002698

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

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AMERICAN OVERSIGHT

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Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: Ransomware
Date: Wednesday, December 1, 2021 8:21:26 AM
Attachments: Ransom Bill Text - Draft Form - 10-4-21.docx

Can you please put this in bill drafting? There is a public records bill 5-00990-22….is already in bill drafting tied to a bigger bill with more than just ransomware.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to cyber-ransom; amending s. 815.03, F.S.; providing definition of public funds; amending s. 815.06, F.S.; prohibiting cyber-ransom payments by public entities; requiring reporting of cyber-ransom attacks; providing for public records exemption; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 815.03, Florida Statutes, is amended to read:

815.03 Definitions.-

(13) "Public funds" means all monies under the jurisdiction or control of Public Entities.

Section 2. Section 815.06, Florida Statutes, is amended to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) No public entity as defined in s. 287.133 (2) and or business entity acting on behalf of such a public entity shall use public funds to pay or have another entity pay on their behalf ransom to individuals or groups who have committed a cyber-crime as defined in s. 815. Exception to this prohibition is allowed if the Governor or his designee approves the payment based upon his/her determination that the payment is necessary to:

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002702

(a) Prevent an imminent threat or public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c)Prevent the disruption of a specific law enforcement investigation.

(11) All public entities that are subjected to a cyber-ransomware attack shall notify the Florida Department of Law Enforcement (FDLE) and the Florida Digital Service (FLDS) within 24 hours.

(12) All records of ransom demands and approval of payments by the Governor or his designees pursuant to 815.06 (10) are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 3. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002703

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
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Cc:	Burdette,Brenda
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AMERICAN OVERSIGHT

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002705

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002706

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Section 2. Section 815.06, Florida Statutes, is amended to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) No public entity as defined in s. 287.133 (2) and or business entity acting on behalf of such a public entity shall use public funds to pay or have another entity pay on their behalf ransom to individuals or groups who have committed a cyber-crime as defined in s. 815. Exception to this prohibition is allowed if the Governor or his designee approves the payment based upon his/her determination that the payment is necessary to:

CODING: Words stricken are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002708

(a) Prevent an imminent threat or public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c)Prevent the disruption of a specific law enforcement investigation.

(11) All public entities that are subjected to a cyber-ransomware attack shall notify the Florida Department of Law Enforcement (FDLE) and the Florida Digital Service (FLDS) within 24 hours.

(12) All records of ransom demands and approval of payments by the Governor or his designees pursuant to 815.06 (10) are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 3. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002709

From: Meiner, Drew
To: Corcoran, Chad
Cc: Aaron, Chelsea
Subject: Re: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Wednesday, January 19, 2022 2:11:05 PM
Attachments: image001.png

Chad, thank you for your help on this. I am copying the Governor's new appointments director, Chelsea Aaron. I'll bring her up to speed and we'll work on these four individuals.

Thank you,
Drew Meiner

From: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Sent: Tuesday, January 18, 2022 9:45 AM
To: Meiner, Drew <Drew.Meiner@eog.myflorida.com>; Feltgen, Jaclyn <Jaclyn.Feltgen@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Subject: CSX Special Agent Commissions - Constituent issue from Senator Bean

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Regards,

Chad Corcoran | *Legislative Aide*
President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>

AMERICAN OVERSIGHT

Sent: Thursday, January 13, 2022 8:12 PM
To: Aaron <aaron@aaronbean.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue

Mr. Bean,
In past discussions you asked me to let you know when we resubmitted the commission packets for our agents. Commission packets for the below Agents are either at the Governor's Commission Office or were mailed today 1/13/22. Thank you Sir I appreciate your time.

Greg Powers - currently in the Appointments Office

John Gibson - Mailed to the Appointments office 1/13/22 (second submission)

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Robert Poisson - Mailed to the Appointments 1/13/22 (third submission)

Pat.

Begin forwarded message:

From: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Date: August 26, 2021 at 2:04:44 PM EDT
To: Aaron <aaron@aaronbean.com>
Subject: FW: CSX Special Agent Commissions - Constituent issue

Boss,

Regarding Pat Hemphill's issue of the 3 CSX Special Agents waiting on commissions, our office reached out and brought this issue to the Governor's office's attention and asked for assistance in getting it resolved. I heard back from Jaclyn Feltgen from the Office of Appointments in the Executive Office of the Governor on this issue recently.

- Apparently the initial applications were submitted in the final days of the Rick Scott administration and very beginning of the current one. So they were 2-3 years old with the information given. The transition of governors probably played a part in this issue occurring.
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AMERICAN OVERSIGHT

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From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Monday, June 21, 2021 6:58 PM
To: Aaron <aaron@aaronbean.com>
Subject: Per our conversation this afternoon

Mr. Bean

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John Gibbons
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AMERICAN OVERSIGHT

Pat Hemphill

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Meiner, Drew
To: Corcoran, Chad
Cc: Aaron, Chelsea
Subject: Re: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Wednesday, January 19, 2022 2:11:04 PM
Attachments: image001.png

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AMERICAN OVERSIGHT

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SENATE
STATE OF FLORIDA
AMERICAN
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Cory McCarter

AMERICAN OVERSIGHT

Pat Hemphill

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Kopelousos, Stephanie
To: Alexander, Dee
Subject: Re: Done
Date: Wednesday, December 1, 2021 5:44:48 PM

App done thank you

Get Outlook for iOS

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Wednesday, December 1, 2021 5:42:44 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: Done

Stephanie- I've sent you 8 emails with the draft numbers. If I have missed one please let me know ASAP. I'm trying to get out of Tallahassee by 1 PM tomorrow.

Glad to help.

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Dee Alexander
Subject:	State Attorney
Date:	Thursday, January 6, 2022 3:43:29 PM
Attachments:	Gov.State Attorney.billdraft86075 + RDN edits.docx

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002727

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of the State of Florida. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. ~~and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty.~~ The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to ~~exercise prosecutorial discretion~~ faithfully enforce the criminal laws of the State of Florida.

AMERICAN OVERSIGHT

(2) It is the duty of the state attorney, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the execution of the duty to faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1), including, but not limited to, any policies prohibiting or restricting the prosecution of any type of case.

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1) ~~exercise prosecutorial discretion by failing to make,~~; or the state attorney's failure to provide information upon request of the Governor, as set forth in subsection (2). ~~failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.~~

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002729

From: Kopelousos, Stephanie
To: Dee Alexander
Subject: State Attorney
Date: Thursday, January 6, 2022 3:43:29 PM
Attachments: Gov.State Attorney.billdraft86075 + RDN edits.docx

---

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

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AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002731

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AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002733

From: Kopelousos, Stephanie
To: Kopelousos, Stephanie
Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; "alex.andrade@myfloridahouse.gov"; "Kristen.Arrington@myfloridahouse.gov"; bryan.avila myfloridahouse.gov; "Webster.Barnaby@myfloridahouse.gov"; "Robin.Bartleman@myfloridahouse.gov"; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; "Christopher.Benjamin@myfloridahouse.gov"; "David.Borrero@myfloridahouse.gov"; "Adam.Botana@myfloridahouse.gov"; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; "Demi.BusattaCabrera@myfloridahouse.gov"; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; "Linda.Chaney@myfloridahouse.gov"; Chuck.Clemons myfloridahouse.gov; "Dan.Daley@myfloridahouse.gov"; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; "Tom.Fabricio@myfloridahouse.gov"; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "Sam.Garrison@myfloridahouse.gov"; "joseph.geller@myfloridahouse.gov"; "Mike.Giallombardo@myfloridahouse.gov"; Joy.Goff-Marcil myfloridahouse.gov; "Michael.Gottlieb@myfloridahouse.gov"; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; "Joe.Harding@myfloridahouse.gov"; "Omari.Hardy@myfloridahouse.gov"; dianne.hart myfloridahouse.gov; "Fred.Hawkins@myfloridahouse.gov"; "Yvonne.Hinson@myfloridahouse.gov"; "Christine.Hunschofsky@myfloridahouse.gov"; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; "Traci.Koster@myfloridahouse.gov"; Lamarca, Chip; chris.latvala myfloridahouse.gov; "Andrew.Learned@myfloridahouse.gov"; Tom.Leek myfloridahouse.gov; "randy.maggard@myfloridahouse.gov"; "Patt.Maney@myfloridahouse.gov"; "Amber.Mariano@myfloridahouse.gov"; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; "Travaris.McCurdy@myfloridahouse.gov"; "Fiona.McFarland@myfloridahouse.gov"; "Lauren.Melo@myfloridahouse.gov"; "jim.mooney@myfloridahouse.gov"; "Daisy.Morales@myfloridahouse.gov"; "Angie.Nixon@myfloridahouse.gov"; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; "Jenna.Persons@myfloridahouse.gov"; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; "Michele.Rayner@myfloridahouse.gov"; paul.renner myfloridahouse.gov; "Alex.Rizo@myfloridahouse.gov"; spencer.roach myfloridahouse.gov; "Felicia.Robinson@myfloridahouse.gov"; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; "Michelle.Salzman@myfloridahouse.gov"; "jason.shoaf@myfloridahouse.gov"; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; "John.Snyder@myfloridahouse.gov"; chris.sprowls myfloridahouse.gov; cyndi.stevenson myfloridahouse.gov; "Allison.Tant@myfloridahouse.gov"; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; "Dana.Trabulsy@myfloridahouse.gov"; "Keith.Truenow@myfloridahouse.gov"; jay.trumbull myfloridahouse.gov; "Kaylee.Tuck@myfloridahouse.gov"; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; jayer.williamson myfloridahouse.gov; "Marie.Woodson@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; "Debbie.Barley@myfloridahouse.gov"; "Dan.Griffin@myfloridahouse.gov"; "Collin.Kenline@myfloridahouse.gov"; "Samuel.McLane@myfloridahouse.gov"; "Emily.Sutton@myfloridahouse.gov"; "Ann.Shockley@myfloridahouse.gov"; "Kim.Switalski@myfloridahouse.gov"; "Kheva.Stenson@myfloridahouse.gov"; "Angelia.Williams@myfloridahouse.gov"; "Takeshia.Stokes@myfloridahouse.gov"; "Omar.Raschid@myfloridahouse.gov"; "albritton.ben@flsenate.gov"; "ausley.loranne@flsenate.gov"; "baxley.dennis.web@flsenate.gov"; bean.aaron flsenate.gov; berman.lori flsenate.gov; "book.lauren.web@flsenate.gov"; "boyd.jim.web@flsenate.gov"; bracy.randolph flsenate.gov; "bradley.jennifer@flsenate.gov"; brandes.jeff flsenate.gov; "brodeur.jason@flsenate.gov"; broxson.doug flsenate.gov; "burgess.danny@flsenate.gov"; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; "gainer.george.web@flsenate.gov"; "Garcia.Ileana@flsenate.gov"; gibson.audrey flsenate.gov; "gruters.joe@flsenate.gov"; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; "hutson.travis.web@flsenate.gov"; "jones.shevrin@flsenate.gov"; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; "polsky.tina@flsenate.gov"; powell.bobby flsenate.gov; "rodrigues.ray.web@flsenate.gov"; "rodriguez.anamaria@flsenate.gov"; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; "stargel.kelli.web@flsenate.gov"; Stewart, Linda; "taddeo.annette.web@flsenate.gov"; thurston.perry flsenate.gov; torres.victor flsenate.gov; "wright.tom.web@flsenate.gov"; "Kruse.Shasta@flsenate.gov"; "Carter.Lucy@flsenate.gov"; "Embry.Teresa@flsenate.gov"; "McKenzie.Gary@flsenate.gov"; "Cantella.Tracy@flsenate.gov"; "Pinkerton.Patrick@flsenate.gov"; "Hilton.Adam@flsenate.gov"; "Woodard.Lee@flsenate.gov"; "Brown.Debbie@flsenate.gov"
Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments
Date: Monday, January 24, 2022 10:54:32 PM
Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

AMERICAN OVERSIGHT

Apologies for the late email, but today, the Biden Administration (through the FDA), announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

AMERICAN OVERSIGHT

January 24, 2022

MONOCLONAL ANTIBODY SITES STATEWIDE WILL BE CLOSED AFTER FDA REMOVES TREATMENT AUTHORIZATION

Contact:
Communications Office
NewsMedia@flhealth.gov
(850) 245-4111

Tallahassee, Fla. — This evening, without any advanced notice, the U.S. Food and Drug Administration (FDA) revised the Emergency Use Authorizations (EUA) for bamlanivimab/etesevimab and REGEN-COV. The revised EUAs do not allow providers to administer these treatments within the United States.

Unfortunately, as a result of this abrupt decision made by the federal government, all monoclonal antibody state sites will be closed until further notice.

Individuals with appointments have been directly contacted regarding cancellations. If you have tested positive for COVID-19, please contact your health care provider for more information and resources on treatment options. Resources for emerging treatments can be found at www.HealthierYouFL.org. Pharmacies that have received allocations of anti-viral treatments can be found at www.FloridaHealthCOVID-19.gov.

Florida disagrees with the decision that blocks access to any available treatments in the absence of clinical evidence. To date, such clinical evidence has not been provided by the United States Food and Drug Administration (FDA).

As stated in one of the pre-print studies cited on the NIH website, "despite observing differences in neutralizing activity with certain mAbs, it remains to be determined how this finding translates into effects on clinical protection against B.1.1.529."

For more information on why this decision was made, please contact the FDA at 1-888-463-6332.

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AMERICAN OVERSIGHT

From:	Kopelousos, Stephanie
To:	Kopelousos, Stephanie
Bcc:	Bahl, Mat; Mears, Kathy; Maney, Patt; jayer.williamson myfloridahouse.gov; broxson.douglas@gmail.com; Gainer.George flsenate.gov; Gainey.andrea@flsenate.gov; cord.byrd myfloridahouse.gov; tracie.davis myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; "angela.nixon@myfloridahouse.gov"; clay.yarborough myfloridahouse.gov; Aaron Bean; Alexander, Dee; gibson.audrey flsenate.gov; Joy.Goff-Marcil myfloridahouse.gov; scott.plakon myfloridahouse.gov; david.smith myfloridahouse.gov; broxson.douglas@gmail.com; harrell.gayle flsenate.gov; "Robin.Bartleman@myfloridahouse.gov"; Borrero, David; Daley, Dan; bobby.dubose myfloridahouse.gov; Fabricio, Tom; joe.geller myfloridahouse.gov; mike.gottlieb myfloridahouse.gov; "Christine.Hunschofsky@myfloridahouse.gov"; evan.jenne myfloridahouse.gov; Lamarca, Chip; Anika.Omphroy myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; "Pat.Williams@myfloridahouse.gov"; "Marie.Woodson@myfloridahouse.gov"; book.lauren flsenate.gov; farmer.gary flsenate.gov; Jones, Shevrin; tina.polsky myfloridahouse.gov; thurston.perry flsenate.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Rick.Roth myfloridahouse.gov; David.Silvers myfloridahouse.gov; "Kelly.Skidmore@myfloridahouse.gov"; Snyder, John; Matt.Willhite myfloridahouse.gov; berman.lori flsenate.gov; Gayle; powell.bobby flsenate.gov; bryan.avila myfloridahouse.gov; christopher.benjamin@myfloridahouse.gov; BusattaCabrera, Demi; james.bush myfloridahouse.gov; "Kevin.Chambliss@myfloridahouse.gov"; diaz.manny flsenate.gov; Nicholas.Duran myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; Garcia, Ileana; michael.grieco myfloridahouse.gov; Jones, Shevrin; dotie.joseph myfloridahouse.gov; Mooney, Jim; daniel.perez myfloridahouse.gov; pizzo.jason flsenate.gov; "Alex.Rizo@myfloridahouse.gov"; Felicia.Robinson@myfloridahouse.gov; Rodriguez, Ana Maria; anthony.rodriguez myfloridahouse.gov; Melo, Lauren; Bob.Rommel myfloridahouse.gov; passidomo.kathleen flsenate.gov
Subject:	State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments
Date:	Monday, January 24, 2022 10:48:28 PM
Attachments:	FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Kopelousos, Stephanie
Bcc:	Bahl, Mat; Mears, Kathy; Maney, Patt; jayer.williamson myfloridahouse.gov; broxson.douglas@gmail.com; Gainer.George flsenate.gov; Gainey.andrea@flsenate.gov; cord.byrd myfloridahouse.gov; tracie.davis myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; angela.nixon@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; Aaron Bean; Alexander, Dee; gibson.audrey flsenate.gov; Joy.Goff-Marcil myfloridahouse.gov; scott.plakon myfloridahouse.gov; david.smith myfloridahouse.gov; broxson.douglas@gmail.com; harrell.gayle flsenate.gov; Robin.Bartleman@myfloridahouse.gov; Borrero, David; Daley, Dan; bobby.dubose myfloridahouse.gov; Fabricio, Tom; joe.geller myfloridahouse.gov; mike.gottlieb myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; evan.jenne myfloridahouse.gov; Lamarca, Chip; Anika.Omphroy myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; book.lauren flsenate.gov; farmer.gary flsenate.gov; Jones, Shevrin; tina.polsky myfloridahouse.gov; thurston.perry flsenate.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Rick.Roth myfloridahouse.gov; David.Silvers myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Snyder, John; Matt.Willhite myfloridahouse.gov; berman.lori flsenate.gov; Gayle; powell.bobby flsenate.gov; bryan.avila myfloridahouse.gov; christopher.benjamin@myfloridahouse.gov; BusattaCabrera, Demi; james.bush myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; diaz.manny flsenate.gov; Nicholas.Duran myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; Garcia, Ileana; michael.grieco myfloridahouse.gov; Jones, Shevrin; dotie.joseph myfloridahouse.gov; Mooney, Jim; daniel.perez myfloridahouse.gov; pizzo.jason flsenate.gov; Alex.Rizo@myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Rodriguez, Ana Maria; anthony.rodriguez myfloridahouse.gov; Melo, Lauren; Bob.Rommel myfloridahouse.gov; passidomo.kathleen flsenate.gov
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To: Kopelousos, Stephanie

Bcc: ramon.alexander myfloridahouse.gov; vance.aloupis myfloridahouse.gov; Thad.Altman myfloridahouse.gov; alex.andrade@myfloridahouse.gov; Kristen.Arrington@myfloridahouse.gov; bryan.avila myfloridahouse.gov; Webster.Barnaby@myfloridahouse.gov; Robin.Bartleman@myfloridahouse.gov; melony.bell myfloridahouse.gov; mike.beltran myfloridahouse.gov; Christopher.Benjamin@myfloridahouse.gov; David.Borrero@myfloridahouse.gov; Adam.Botana@myfloridahouse.gov; chuck.brannan myfloridahouse.gov; Kamia.Brown myfloridahouse.gov; james.buchanan myfloridahouse.gov; colleen.burton myfloridahouse.gov; Demi.BusattaCabrera@myfloridahouse.gov; james.bush myfloridahouse.gov; cord.byrd myfloridahouse.gov; mike.caruso myfloridahouse.gov; joseph.casello myfloridahouse.gov; Kevin.Chambliss@myfloridahouse.gov; Linda.Chaney@myfloridahouse.gov; Chuck Clemons; Dan.Daley@myfloridahouse.gov; tracie.davis myfloridahouse.gov; Ben Diamond; nick.diceglie myfloridahouse.gov; Brad Drake; fentrice.driskell myfloridahouse.gov; bobby.dubose myfloridahouse.gov; wyman.duggan myfloridahouse.gov; Nicholas.Duran myfloridahouse.gov; Eskamani, Anna; Tom.Fabricio@myfloridahouse.gov; Juan.Fernandez-Barquin myfloridahouse.gov; elizabeth.fetterhoff myfloridahouse.gov; Randy.Fine myfloridahouse.gov; Jason.Fischer myfloridahouse.gov; Sam.Garrison@myfloridahouse.gov; joseph.geller@myfloridahouse.gov; Mike.Giallombardo@myfloridahouse.gov; Joy.Goff-Marcil myfloridahouse.gov; Michael.Gottlieb@myfloridahouse.gov; Erin.Grall myfloridahouse.gov; Michael.Grant myfloridahouse.gov; tommy.gregory myfloridahouse.gov; michael.grieco myfloridahouse.gov; brett.hage myfloridahouse.gov; Joe.Harding@myfloridahouse.gov; Omari.Hardy@myfloridahouse.gov; dianne.hart myfloridahouse.gov; Fred.Hawkins@myfloridahouse.gov; Yvonne.Hinson@myfloridahouse.gov; Christine.Hunschofsky@myfloridahouse.gov; blaise.ingoglia myfloridahouse.gov; evan.jenne myfloridahouse.gov; dotie.joseph myfloridahouse.gov; Sam.Killebrew myfloridahouse.gov; Traci.Koster@myfloridahouse.gov; Lamarca, Chip; chris.latvala myfloridahouse.gov; Andrew.Learned@myfloridahouse.gov; Tom.Leek myfloridahouse.gov; randy.maggard@myfloridahouse.gov; Patt.Maney@myfloridahouse.gov; Amber.Mariano@myfloridahouse.gov; Ralph.Massullo myfloridahouse.gov; Stan.McClain myfloridahouse.gov; lawrence.mcclure myfloridahouse.gov; Travaris.McCurdy@myfloridahouse.gov; Fiona.McFarland@myfloridahouse.gov; Lauren.Melo@myfloridahouse.gov; jim.mooney@myfloridahouse.gov; Daisy.Morales@myfloridahouse.gov; Angie.Nixon@myfloridahouse.gov; Anika.Omphroy myfloridahouse.gov; toby.overdorf myfloridahouse.gov; bobby.payne myfloridahouse.gov; daniel.perez myfloridahouse.gov; Jenna.Persons@myfloridahouse.gov; scott.plakon myfloridahouse.gov; rene.plasencia myfloridahouse.gov; Michele.Rayner@myfloridahouse.gov; paul.renner myfloridahouse.gov; Alex.Rizo@myfloridahouse.gov; spencer.roach myfloridahouse.gov; Felicia.Robinson@myfloridahouse.gov; Will.Robinson myfloridahouse.gov; anthony.rodriguez myfloridahouse.gov; Bob.Rommel myfloridahouse.gov; Rick.Roth myfloridahouse.gov; anthony.sabatini myfloridahouse.gov; Michelle.Salzman@myfloridahouse.gov; jason.shoaf@myfloridahouse.gov; David.Silvers myfloridahouse.gov; tyler.sirois myfloridahouse.gov; Kelly.Skidmore@myfloridahouse.gov; Emily.Slosberg myfloridahouse.gov; Carlos.Smith myfloridahouse.gov; david.smith myfloridahouse.gov; John.Snyder@myfloridahouse.gov; chris.sprowls myfloridahouse.gov; Stevenson, Cyndi; Allison.Tant@myfloridahouse.gov; geraldine.thompson myfloridahouse.gov; Jackie.Toledo myfloridahouse.gov; josie.tomkow myfloridahouse.gov; Dana.Trabulsy@myfloridahouse.gov; Keith.Truenow@myfloridahouse.gov; jay.trumbull myfloridahouse.gov; Kaylee.Tuck@myfloridahouse.gov; susan.valdes myfloridahouse.gov; Matt.Willhite myfloridahouse.gov; Pat.Williams@myfloridahouse.gov; jayer.williamson myfloridahouse.gov; Marie.Woodson@myfloridahouse.gov; clay.yarborough myfloridahouse.gov; ardian.zika myfloridahouse.gov; Debbie.Barley@myfloridahouse.gov; Dan.Griffin@myfloridahouse.gov; Collin.Kenline@myfloridahouse.gov; Samuel.McLane@myfloridahouse.gov; Emily.Sutton@myfloridahouse.gov; Ann.Shockley@myfloridahouse.gov; Kim.Switalski@myfloridahouse.gov; Kheva.Stenson@myfloridahouse.gov; Angelia.Williams@myfloridahouse.gov; Takeshia.Stokes@myfloridahouse.gov; Omar.Raschid@myfloridahouse.gov; albritton.ben@flsenate.gov; ausley.loranne@flsenate.gov; baxley.dennis.web@flsenate.gov; bean.aaron flsenate.gov; berman.lori flsenate.gov; book.lauren.web@flsenate.gov; boyd.jim.web@flsenate.gov; bracy.randolph flsenate.gov; bradley.jennifer@flsenate.gov; brandes.jeff flsenate.gov; brodeur.jason@flsenate.gov; broxson.doug flsenate.gov; burgess.danny@flsenate.gov; cruz.janet flsenate.gov; diaz.manny flsenate.gov; farmer.gary flsenate.gov; gainer.george.web@flsenate.gov; Garcia.Ileana@flsenate.gov; gibson.audrey flsenate.gov; gruters.joe@flsenate.gov; harrell.gayle flsenate.gov; hooper.ed flsenate.gov; hutson.travis.web@flsenate.gov; jones.shevrin@flsenate.gov; mayfield.debbie flsenate.gov; passidomo.kathleen flsenate.gov; perry.keith flsenate.gov; pizzo.jason flsenate.gov; polsky.tina@flsenate.gov; powell.bobby flsenate.gov; rodrigues.ray.web@flsenate.gov; rodriguez.anamaria@flsenate.gov; rouson.darryl flsenate.gov; simpson.wilton flsenate.gov; stargel.kelli.web@flsenate.gov; Stewart, Linda; taddeo.annette.web@flsenate.gov; thurston.perry flsenate.gov; torres.victor flsenate.gov; wright.tom.web@flsenate.gov; Kruse.Shasta@flsenate.gov; Carter.Lucy@flsenate.gov; Embry.Teresa@flsenate.gov; McKenzie.Gary@flsenate.gov; Cantella.Tracy@flsenate.gov; Pinkerton.Patrick@flsenate.gov; Hilton.Adam@flsenate.gov; Woodard.Lee@flsenate.gov; Brown.Debbie@flsenate.gov

Subject: State Monoclonal Sites Shutdown - Due to Biden Administration Revoking the Emergency Use Authorization for Regeneron and Eli Lilly Monoclonal Treatments

Date: Monday, January 24, 2022 10:54:32 PM

Attachments: FLORIDA DEPARTMENT OF HEALTH PRESS RELEASE JAN. 24.pdf

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Good Evening –

Apologies for the late email, but today, the Biden Administration (through the FDA),

AMERICAN OVERSIGHT

announced they revoked the emergency use authorization for regeneron and Eli Lilly monoclonal treatments. This also impacts all private providers with doses of Regeron and Eli Lilly products. Florida has to shut down all of our state run monoclonal sites (Okaloosa, Duval, Seminole, Broward, Palm Beach, Miami Dade, and Collier) starting tomorrow, canceling more than 2,000 appointments tomorrow at those sites alone.

Floridians that had scheduled appointments, should contact the U.S. FDA at 1-888-463-6332, for an explanation as to why this decision was made, and reach out to their health care providers for treatment options.

See Governor DeSantis' response linked here:
https://www.flgov.com/2022/01/24/governor-desantis-condemns-biden-administrations-haphazard-decision-to-revoke-authorization-of-lifesaving-monoclonal-antibody-treatments/

See attached FDOH release.

AMERICAN OVERSIGHT

January 24, 2022

MONOCLONAL ANTIBODY SITES STATEWIDE WILL BE CLOSED AFTER FDA REMOVES TREATMENT AUTHORIZATION

Contact:
Communications Office
NewsMedia@flhealth.gov
(850) 245-4111

Tallahassee, Fla. — This evening, without any advanced notice, the U.S. Food and Drug Administration (FDA) revised the Emergency Use Authorizations (EUA) for bamlanivimab/etesevimab and REGEN-COV. The revised EUAs do not allow providers to administer these treatments within the United States.

Unfortunately, as a result of this abrupt decision made by the federal government, all monoclonal antibody state sites will be closed until further notice.

Individuals with appointments have been directly contacted regarding cancellations. If you have tested positive for COVID-19, please contact your health care provider for more information and resources on treatment options. Resources for emerging treatments can be found at www.HealthierYouFL.org. Pharmacies that have received allocations of anti-viral treatments can be found at www.FloridaHealthCOVID-19.gov.

Florida disagrees with the decision that blocks access to any available treatments in the absence of clinical evidence. To date, such clinical evidence has not been provided by the United States Food and Drug Administration (FDA).

As stated in one of the pre-print studies cited on the NIH website, "despite observing differences in neutralizing activity with certain mAbs, it remains to be determined how this finding translates into effects on clinical protection against B.1.1.529."

For more information on why this decision was made, please contact the FDA at 1-888-463-6332.

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About the Florida Department of Health

The department, nationally accredited by the Public Health Accreditation Board, works to protect, promote and improve the health of all people in Florida through integrated state, county and community efforts.

AMERICAN OVERSIGHT

Follow us on Facebook, Instagram, and Twitter at @HealthyFla. For more information about the Florida Department of Health please visit www.FloridaHealth.gov.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: Dee Alexander
Subject: Tomorrow
Date: Wednesday, December 15, 2021 9:29:03 AM

Thursday, December 16*

9:30 a.m. – 10:15 a.m. ET – Press Conference – Nassau County

Location: Florida State College at Jacksonville Betty P. Cook Nassau Center, 76346 William Burgess Boulevard, Yulee, FL 32097

Regional: Silvia Castellanos

- Representative Cordy Byrd – District 11
- Senator Aaron Bean – District 4

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From:	/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To:	Dee Alexander
Subject:	Tomorrow
Date:	Wednesday, December 15, 2021 9:29:03 AM

Thursday, December 16*

9:30 a.m. – 10:15 a.m. ET – Press Conference – Nassau County

Location: Florida State College at Jacksonville Betty P. Cook Nassau Center, 76346 William Burgess Boulevard, Yulee, FL 32097

Regional: Silvia Castellanos

- Representative Cordy Byrd – District 11
- Senator Aaron Bean – District 4

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: bill Drafting Law Enforcement
Date: Wednesday, December 1, 2021 8:22:40 AM
Attachments: Law Enforcement - Bill Draft.docx

Can you also put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to law enforcement; amending s. 784.049, F.S.; enumerating electronic platforms used in the commission of criminal sexual cyberharassment; amending s. 787.07; requiring the Criminal Justice Standards and Training Commission to establish specified training for human smuggling; providing criminal penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended to read:

(c) "Sexually cyberharass" means to publish to any ~~an~~ social networking service or Internet website, including to any electronic application or internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

Section 2. Subsection (3) and (4) are added to section 787.07, Florida Statutes, to read:

(1) A person who transports into this state an individual

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002751

who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of this section.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

(4) The degree of an offense shall be reclassified as follows if a person causes great bodily harm, permanent disability, or permanent disfigurement to another person during the commission of an offense under this section shall be reclassified as a felony of the second degree.

Section 3. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Cc: Burdette,Brenda
Subject: bill drafting.state attorney
Date: Wednesday, December 1, 2021 8:26:42 AM
Attachments: State attorney bill format 11-17-21 - sck.docx

---

can you also put his in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the duties of state attorneys; amending s. 27.14, F.S.; providing neglect of duty as a qualification for removal; creating s. 112.39, F.S.; requiring state attorneys to provide documentation upon request of the Governor; authorizing the Governor to suspend state attorneys due to dereliction of duty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), (2), and (3) of section 27.14, Florida Statutes, are amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, including but not limited to neglect of duty of such state attorney, the Governor determines that the ends of justice would be best served, the Governor may, by executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of

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V

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FL-GOV-22-0226, 20-0378-A-002754

issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

(2) If the statewide prosecutor in charge of the Office of Statewide Prosecution determines that he or she is not qualified to represent the state in any investigation, case, or matter pending in the courts of the state or if a court of competent jurisdiction disqualifies him or her from representing the state, the Governor may, by executive order filed with the Department of State, order an assignment of any state attorney to discharge the duties of such prosecutor with respect to one or more specified investigations, cases, or matters, generally described in the order. The assignment of any state attorney shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such assignment.

(3) Whenever a state attorney is exchanged or assigned, he or she may designate one or more of his or her assistant state attorneys and state attorney investigators to perform the duties assigned under the executive order.

Section 2. Creating section 112.39, Florida statutes, to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing their subordinates to make, case-specific determinations as to whether the facts of each case in their circuit justify prosecution, and

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FL-GOV-22-0226, 20-0378-A-002755

upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case where an arrest was made and prosecution was not sought or information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type or class of case, including but not limited to the penalty phase of death penalty eligible cases, shall be evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including but not limited to the failure of such state attorney to exercise prosecutorial discretion by failing to make, or failing to direct their subordinates to make, a case-specific determination as to whether the facts of each case in their circuit justify prosecution as stated herein, or the failure of such state attorney, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination as described above.

Section 3. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002756

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=122A79D2CB9F4E48AFFF927AA37A21CD-KOPELOUSOS,
To: alexander.dee@flsenate.gov
Subject: for Bill Drafting...Abortion
Date: Wednesday, December 1, 2021 8:04:11 AM
Attachments: Option 1.docx

Dee,
I spoke to Senator Bean last night regarding putting some bills in bill drafting. He asked me to send them to you.
Thank you so much for your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to abortion; amending s. 390.0111; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 390.0111, Florida Statutes, is amended to read:

390.0111-Termination of pregnancies

(2) PERFORMANCE BY PHYSICIAN REQUIRED.—No termination of pregnancy shall be performed at any time except by a physician as defined in s. 390.011.

(a) No termination of pregnancy shall be performed at any time after 15 gestational weeks unless one of the following conditions are met in s.390.0111 and s 390.01112.

Section 2. This act shall take effect July 1, 2022.

DRAFT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Updated: 4/22/2022 10:51 AM

AMERICAN OVERSIGHT

From: Kopelousos, Stephanie
To: "alexander.dee@flsenate.gov"
Subject: for Bill Drafting...Abortion
Date: Wednesday, December 1, 2021 8:04:14 AM
Attachments: Option 1.docx

Dee,
I spoke to Senator Bean last night regarding putting some bills in bill drafting. He asked me to send them to you.
Thank you so much for your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to abortion; amending s. 390.0111; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 390.0111, Florida Statutes, is amended to read:

390.0111-Termination of pregnancies

(2) PERFORMANCE BY PHYSICIAN REQUIRED.—No termination of pregnancy shall be performed at any time except by a physician as defined in s. 390.011.

(a) No termination of pregnancy shall be performed at any time after 15 gestational weeks unless one of the following conditions are met in s.390.0111 and s 390.01112.

Section 2. This act shall take effect July 1, 2022.

DRAFT

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Updated: 4/22/2022 10:51 AM

AMERICAN OVERSIGHT

From: Corcoran, Chad
To: Meiner, Drew; Feltgen, Jaclyn
Cc: Corcoran, Chad
Subject: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Tuesday, January 18, 2022 9:45:26 AM
Attachments: image001.png

Hello Drew and Jaclyn,

Just wanted to put this on your radars again given we spoke of the CSX commissions issue this past summer. CSX has resubmitted their commission packets a second time with up-to-date information as requested. Senator Bean is aware of this issue and hopes that it can be handled as efficiently as the process allows. Please let us know if there is anything we can do to assist and whether there is a timeframe you can give us on how long it may take to have this handled. Thank you!

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Thursday, January 13, 2022 8:12 PM
To: Aaron <aaron@aaronbean.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue

Mr. Bean,
In past discussions you asked me to let you know when we resubmitted the commission packets for our agents. Commission packets for the below Agents are either at the Governor's Commission Office or were mailed today 1/13/22. Thank you Sir I appreciate your time.

Greg Powers - currently in the Appointments Office

John Gibson - Mailed to the Appointments office 1/13/22 (second submission)

Cory McCarter - Mailed to the Appointments 1/13/22 (second submission)

AMERICAN OVERSIGHT

Robert Poisson - Mailed to the Appointments 1/13/22 (third submission)

Pat.

Begin forwarded message:

From: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Date: August 26, 2021 at 2:04:44 PM EDT
To: Aaron <aaron@aaronbean.com>
Subject: FW: CSX Special Agent Commissions - Constituent issue

Boss,

Regarding Pat Hemphill's issue of the 3 CSX Special Agents waiting on commissions, our office reached out and brought this issue to the Governor's office's attention and asked for assistance in getting it resolved. I heard back from Jaclyn Feltgen from the Office of Appointments in the Executive Office of the Governor on this issue recently.

- Apparently the initial applications were submitted in the final days of the Rick Scott administration and very beginning of the current one. So they were 2-3 years old with the information given. The transition of governors probably played a part in this issue occurring.
- There is a new appointments head and he recommended that the information be sent in again so that it would not be outdated, but instead be current/updated.
- Jaclyn mentioned that their office had spoken with Kenneth Frost, the CSX CEO, to let them know when the apps are going to be sent in so they can be on the lookout for it.
- It seems that CSX has not yet sent in the new, updated applications, but once they are sent in, it can be handled once and for all assuming everything checks out.
- The appointments office also gave them the packet information for FDLE's background process to assist in future applications ideally so this doesn't occur again.
- If there are any questions or issues, they can be sent to the Director's email which is Drew.Meiner@eog.myflorida.com.

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | Florida Senate 4th District

AMERICAN OVERSIGHT

13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Monday, June 21, 2021 6:58 PM
To: Aaron <aaron@aaronbean.com>
Subject: Per our conversation this afternoon

Mr. Bean

As we discussed this morning we have three CSX Police Department Special Agents who have been waiting on there commissions for several years. They each completed everything required by the state of Florida within a couple months of relocating/transferring here and submitted all documents. Part of the process is a background investigation by FDLE which gets done relatively quickly after the packets are submitted, then it just seems to sit. Each time we call the commission office to check on the status of the commissions we are told the packets are too old and we have to do everything again. This will be the third time we have had to complete the process for one Agent and the second for the other two, their names are below. Any help you could give us in getting these three commissions processed would be greatly appreciated. We would also appreciate any help you could give us with avoiding these types of issues with any future commissions we may submit. Thanks in advance for your help with this matter. Good talking to you this morning.

Robert Poisson
John Gibbons
Cory McCarter

Pat Hemphill

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Corcoran, Chad
To: Meiner, Drew; Feltgen, Jaclyn
Cc: Corcoran, Chad
Subject: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Tuesday, January 18, 2022 9:45:27 AM
Attachments: image001.png

Hello Drew and Jaclyn,

Just wanted to put this on your radars again given we spoke of the CSX commissions issue this past summer. CSX has resubmitted their commission packets a second time with up-to-date information as requested. Senator Bean is aware of this issue and hopes that it can be handled as efficiently as the process allows. Please let us know if there is anything we can do to assist and whether there is a timeframe you can give us on how long it may take to have this handled. Thank you!

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | **Florida Senate 4th District**
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Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Thursday, January 13, 2022 8:12 PM
To: Aaron <aaron@aaronbean.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue

Mr. Bean,
In past discussions you asked me to let you know when we resubmitted the commission packets for our agents. Commission packets for the below Agents are either at the Governor's Commission Office or were mailed today 1/13/22. Thank you Sir I appreciate your time.

Greg Powers - currently in the Appointments Office

John Gibson - Mailed to the Appointments office 1/13/22 (second submission)

Cory McCarter - Mailed to the Appointments 1/13/22 (second submission)

AMERICAN OVERSIGHT

Robert Poisson - Mailed to the Appointments 1/13/22 (third submission)

Pat.

Begin forwarded message:

From: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Date: August 26, 2021 at 2:04:44 PM EDT
To: Aaron <aaron@aaronbean.com>
Subject: FW: CSX Special Agent Commissions - Constituent issue

Boss,

Regarding Pat Hemphill's issue of the 3 CSX Special Agents waiting on commissions, our office reached out and brought this issue to the Governor's office's attention and asked for assistance in getting it resolved. I heard back from Jaclyn Feltgen from the Office of Appointments in the Executive Office of the Governor on this issue recently.

- Apparently the initial applications were submitted in the final days of the Rick Scott administration and very beginning of the current one. So they were 2-3 years old with the information given. The transition of governors probably played a part in this issue occurring.
- There is a new appointments head and he recommended that the information be sent in again so that it would not be outdated, but instead be current/updated.
- Jaclyn mentioned that their office had spoken with Kenneth Frost, the CSX CEO, to let them know when the apps are going to be sent in so they can be on the lookout for it.
- It seems that CSX has not yet sent in the new, updated applications, but once they are sent in, it can be handled once and for all assuming everything checks out.
- The appointments office also gave them the packet information for FDLE's background process to assist in future applications ideally so this doesn't occur again.
- If there are any questions or issues, they can be sent to the Director's email which is Drew.Meiner@eog.myflorida.com.

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | Florida Senate 4th District

AMERICAN OVERSIGHT

13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Monday, June 21, 2021 6:58 PM
To: Aaron <aaron@aaronbean.com>
Subject: Per our conversation this afternoon

Mr. Bean

As we discussed this morning we have three CSX Police Department Special Agents who have been waiting on there commissions for several years. They each completed everything required by the state of Florida within a couple months of relocating/transferring here and submitted all documents. Part of the process is a background investigation by FDLE which gets done relatively quickly after the packets are submitted, then it just seems to sit. Each time we call the commission office to check on the status of the commissions we are told the packets are too old and we have to do everything again. This will be the third time we have had to complete the process for one Agent and the second for the other two, their names are below. Any help you could give us in getting these three commissions processed would be greatly appreciated. We would also appreciate any help you could give us with avoiding these types of issues with any future commissions we may submit. Thanks in advance for your help with this matter. Good talking to you this morning.

Robert Poisson
John Gibbons
Cory McCarter

Pat Hemphill

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
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OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: Done
Date: Wednesday, December 1, 2021 5:42:47 PM

Stephanie- I've sent you 8 emails with the draft numbers. If I have missed one please let me know ASAP. I'm trying to get out of Tallahassee by 1 PM tomorrow.

Glad to help.

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Alexander, Dee
Subject:	FW: Bill Drafting....Education
Date:	Wednesday, December 1, 2021 4:39:44 PM
Attachments:	image001.png K-12 Shell.docx

Here's your draft number: 4-01479-22

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:08 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: FW: Bill Drafting....Education

Dee,

Can you please put this in bill drafting?
Thanks,
stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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SENATE
STATE OF FLORIDA
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A bill to be entitled

An act relating to K-12 Education; amending s. 1003.41, F.S.; renaming educational standards; amending ss. 1000.21 1001.215, 1002.33, 1002.45, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.34, 1007.35, and 1012.56, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 1000.21, Florida Statutes is amended to read:

1000.21 Systemwide definitions.-

(7) "~~Next Generation Sunshine State Standards~~ Educational Standards" means the state's public K-12 curricular standards adopted under s. 1003.41.

Section 2. Subsections (4) and (9) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office. -

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the educational standards pursuant to s. 1003.41~~Next Generation Sunshine State Standards~~ for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts

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instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8) and incorporate professional development to implement such strategies.

(9) Periodically review the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for English Language Arts to determine their appropriateness at each grade level.

Section 3. Subparagraph 2. of Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes is amended to read:

1002.33 Charter schools. –

(a) The charter shall address and criteria for approval of the charter shall be based on:

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the educational standards

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FL-GOV-22-0226, 20-0378-A-002773

pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

Section 4. Subparagraph 7. of paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction. –

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FL-GOV-22-0226, 20-0378-A-002774

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

(4) CONTRACT REQUIREMENTS.— Each contract with an approved provider must at minimum:

(a) Set forth a detailed curriculum plan that illustrates how students will be provided services and be measured for attainment of proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for each grade level and subject.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Florida Educational ~~Next Generation Sunshine State~~ Standards. –

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FL-GOV-22-0226, 20-0378-A-002775

(1) Florida Educational ~~Next Generation Sunshine State~~ Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Florida Educational ~~Next Generation Sunshine State~~ Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

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(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

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FL-GOV-22-0226, 20-0378-A-002777

Section 6. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma. –

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ for that subject. An applied course aligns with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

Section 7. Subparagraph 6. of paragraph (a) of subsection (3) of section 1003.499, Florida Statutes, is amended to read:

1003.499 Florida Approved Courses and Tests (FACT) Initiative. –

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider

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FL-GOV-22-0226, 20-0378-A-002778

intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

Section 8. Section 1003.4995, Florida Statutes, is amended to read:

1003.4995 Fine arts report. –

The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. The report shall be posted on the Department of Education's website and updated annually.

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Section 9. Paragraph (b) of subsection (2) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials. -

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. Instructional materials used must be consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~.

Section 10. Paragraph (b) of subsection (1) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials reviewer. -

(b) By April 15 of each school year, the commissioner shall appoint three state or national experts in the content areas submitted for adoption to review the instructional materials and evaluate the content for alignment with the applicable educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~. These reviewers shall be designated as state instructional materials reviewers and shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The initial review of the materials

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FL-GOV-22-0226, 20-0378-A-002780

shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.

Section 11. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer. -

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards provided for in s. 1003.41~~. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:

(a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role

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FL-GOV-22-0226, 20-0378-A-002781

and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.

(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

Section 12. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials. -

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

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FL-GOV-22-0226, 20-0378-A-002782

2. The educational purpose to be served by the material. Priority shall be given to the selection of materials that align with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards as provided for in s. 1003.41~~ and include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general education adopted by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Section 13. Paragraph (c) of subsection (6) of section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement. -

(c) Provide teacher training and materials that are aligned with the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~ and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.

Section 14. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.-

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FL-GOV-22-0226, 20-0378-A-002783

(4) ALIGNMENT OF SUBJECT AREAS. — The State Board of Education shall align the subject area examinations to the educational standards pursuant to s. 1003.41 ~~Next Generation Sunshine State Standards~~.

Section 15. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002784

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: FW: Bill Drafting...Health care
Date: Wednesday, December 1, 2021 4:33:48 PM
Attachments: image001.png
Transparency Bill.docx

Here's your draft number: 4-01565-22

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:08 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Bill Drafting...Health care

Can you please put in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to health care; amending s. 408.062; provides for prescription price transparency; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062-Research, analyses, studies and reports

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the ~~300~~ 500 most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data shall be reported for the generic drug and price data of a brand-named drug for which the generic drug is the equivalent shall be reported. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The data collected shall be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

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Updated: 4/22/2022 10:57 AM

DRAFT

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002787

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Alexander, Dee
Subject:	FW: Bill Drafting: gas tax
Date:	Wednesday, December 1, 2021 4:48:01 PM
Attachments:	image001.png Conforming Bill - Fuel Tax Holiday 2022.docx

Here's your draft number: 4-01453-22

Dee Alexander | Sr. Chief Legislative Aide

Office of Senator Aaron Bean

President Pro Tempore

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:24 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Bill Drafting: gas tax

Can you please put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to taxation; providing a popular name; providing for a reduction in the motor fuel tax for one month; providing dealer requirements; providing legislative intent; providing for a reduction in certain refunds for the same period; authorizing the executive director of the Department of Revenue to adopt emergency rules for certain purpose; making unlawful certain activities of certain entities relating to the tax reduction; providing criminal penalties; amending s. 16.56, F.S.; including offenses specified in this act under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; including offenses specified in this act under provisions prohibiting certain persons from holding certain licenses for certain violations; amending s. 206.404, F.S.; providing for revocation of certain licenses for violations of this act; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing criteria; providing appropriation; authorizing nonoperating transfers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be referred to by the popular name the "Florida Motor Fuel Tax Relief Act of 2022."

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Section 2. Beginning at 12:01 a.m. October 1, 2022, through midnight October 31, 2022, the tax levied pursuant to s.206.41(1) (b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s.206.41(1) (g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the reduced rate of tax on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The executive director of the Department of Revenue is authorized to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the provisions of this act. Notwithstanding any other law, the emergency rules shall remain effective for 6 months after the date of adoption of the rules.

Section 6. It is unlawful for a terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel

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FL-GOV-22-0226, 20-0378-A-002791

to retain any part of the tax reduction set forth in this act or to interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating the provisions of this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.--

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

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AMERICAN OVERSIGHT

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

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FL-GOV-22-0226, 20-0378-A-002793

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.--

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been

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determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

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206.404 License requirements for retail dealers and resellers; penalty.--

(3) Any retail dealer or reseller in violation of the provisions of this chapter or the provisions of the Florida Motor Fuel Tax Relief Act of 2004 or the provisions of the Florida Motor Fuel Tax Relief Act of 2022 shall be subject to revocation of his or her license under chapter 212.

Section 10. In order to accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; provided the retail dealer can show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 12. The sum of $300,000 in nonrecurring General Revenue is appropriated to the Department of Revenue for Fiscal Year 2022-23 for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 13. The following nonoperating transfers from the General Revenue Fund are authorized for Fiscal Year 2022-23:

1. The sum of $135 million is authorized to be transferred from the General Revenue Fund into the State Transportation Trust Fund;

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2. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;

3. The sum of $9 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605;

4. The sum of $72 million is authorized to be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 14. This act shall take effect upon becoming a law.

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From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: FW: DBPR...Condo Language
Date: Wednesday, December 1, 2021 4:38:12 PM
Attachments: image001.png
Language.doc

Here's your draft number: 4-01483-22

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:09 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: DBPR...Condo Language

Do you mind putting this in bill drafting?

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

718.103 Definitions.—As used in this chapter, the term:

(1) "Assessment" means a share of the funds which are required for the payment of common expenses, which from time to time is assessed against the unit owner.

(2) "Association" means, in addition to any entity responsible for the operation of common elements owned in undivided shares by unit owners, any entity which operates or maintains other real property in which unit owners have use rights, where membership in the entity is composed exclusively of unit owners or their elected or appointed representatives and is a required condition of unit ownership.

(3) "Association property" means that property, real and personal, which is owned or leased by, or is dedicated by a recorded plat to, the association for the use and benefit of its members.

(4) "Board of administration" or "board" means the board of directors or other representative body which is responsible for administration of the association.

(5) "Buyer" means a person who purchases a condominium unit. The term "purchaser" may be used interchangeably with the term "buyer."

(6) "Bylaws" means the bylaws of the association as they are amended from time to time.

(7) "Committee" means a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the proposed annual budget or to take action on behalf of the board.

(8) "Common elements" means the portions of the condominium property not included in the units, that is jointly owned by all of the unit owners, including but not limited to stairs, elevators, hallways, swimming pools, and any other physical space customarily used by all

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of the unit owners in a condominium or as specifically described by Division rule.

(9) "Common expenses" means all expenses properly incurred by the association in the performance of its duties, including expenses specified in s. 718.115.

(10) "Common surplus" means the amount of all receipts or revenues, including assessments, rents, or profits, collected by a condominium association which exceeds common expenses.

(11) "Condominium" means that form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

(12) "Condominium parcel" means a unit, together with the undivided share in the common elements appurtenant to the unit.

(13) "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

(14) "Conspicuous type" means bold type in capital letters no smaller than the largest type, exclusive of headings, on the page on which it appears and, in all cases, at least 10-point type. Where conspicuous type is required, it must be separated on all sides from other type and print. Conspicuous type may be used in a contract for purchase and sale of a unit, a lease of a unit for more than 5 years, or a prospectus or offering circular only where required by law.

(15) "Declaration" or "declaration of condominium" means the instrument or instruments by which a condominium is created, as they are from time to time amended.

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(16) "Developer" means a person who creates a condominium or offers condominium parcels for sale or lease in the ordinary course of business, but does not include:

(a) An owner or lessee of a condominium or cooperative unit who has acquired the unit for his or her own occupancy;

(b) A cooperative association that creates a condominium by conversion of an existing residential cooperative after control of the association has been transferred to the unit owners if, following the conversion, the unit owners are the same persons who were unit owners of the cooperative and no units are offered for sale or lease to the public as part of the plan of conversion;

(c) A bulk assignee or bulk buyer as defined in s. 718.703; or

(d) A state, county, or municipal entity acting as a lessor and not otherwise named as a developer in the declaration of condominium.

(17) "Division" means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.

(18) "Financial issue" means issues related to operating budgets, reserve schedules, financial records pursuant to s. 718.111(12)(a)11., notices of meetings and meeting minutes for budget or financial statement related meetings, any assessment for common expenses, fees or fines, commingling of funds and any other record necessary to determine the revenues and expenses of the association. The division may adopt rules to further define a financial issue.

(19) ~~(18)~~ "Land" means the surface of a legally described parcel of real property and includes, unless otherwise specified in the declaration and whether separate from or including such surface, airspace lying above and subterranean space lying below such surface. However, if so defined in the declaration, the term "land" may mean all or any portion of the airspace or subterranean space

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between two legally identifiable elevations and may exclude the surface of a parcel of real property and may mean any combination of the foregoing, whether or not contiguous, or may mean a condominium unit.

(20) ~~(19)~~ "Limited common elements" means those common elements which are reserved for the use of a certain unit or units to the exclusion of all other units, as specified in the declaration.

(21) ~~(20)~~ "Multicondominium" means a real estate development containing two or more condominiums, all of which are operated by the same association.

(22) ~~(21)~~ "Operation" or "operation of the condominium" includes the administration and management of the condominium property.

(23) ~~(22)~~ "Rental agreement" means any written agreement, or oral agreement if for less duration than 1 year, providing for use and occupancy of premises.

(24) ~~(23)~~ "Residential condominium" means a condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended

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for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404.

(25) ~~(24)~~ "Special assessment" means any assessment levied against a unit owner other than the assessment required by a budget adopted annually.

(26) ~~(25)~~ "Timeshare estate" means any interest in a unit under which the exclusive right of use, possession, or occupancy of the unit circulates among the various purchasers of a timeshare plan pursuant to chapter 721 on a recurring basis for a period of time.

(27) ~~(26)~~ "Timeshare unit" means a unit in which timeshare estates have been created.

(28) ~~(27)~~ "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration. A unit cannot be solely constituted of a land or other physical space customarily used by all of the unit owners in a condominium such as stairways, hallways, elevators, swimming pools, or other space as specified by Division rule.

(29) ~~(28)~~ "Unit owner" or "owner of a unit" means a record owner of legal title to a condominium parcel.

(30) ~~(29)~~ "Voting certificate" means a document which designates one of the record title owners, or the corporate, partnership, or entity representative, who is authorized to vote on behalf of a condominium unit that is owned by more than one owner or by any entity.

(31) ~~(30)~~ "Voting interests" means the voting rights distributed to the association members pursuant to s.718.104(4)(j). In a multicondominium association, the voting interests of the association are the voting rights distributed to the unit owners in all condominiums operated by the association. On matters related to

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a specific condominium in a multicondominium association, the voting interests of the condominium are the voting rights distributed to the unit owners in that condominium.

(32) The Division shall have authority to adopt rules as necessary to effectuate the provisions of this section.

Section 718.111

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other items provided by the developer pursuant to s. 718.301(4).

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A photocopy of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books that contain the minutes of all meetings of the association, the board of administration, and the unit owners.

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. The e-mail addresses and facsimile numbers are not accessible to unit owners if consent to receive notice by electronic transmission is not provided in

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accordance with sub-subparagraph (c)3.e. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures.

b. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

c. All audits, reviews, accounting statements, and financial reports of the association or condominium.

d. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must

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be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection report as described in s. 718.301(4)(p).

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

18. A copy of all checklists and sworn affidavits executed in response to a unit owner's request for access to records pursuant to s. 718.111(12)(c).

19. A copy of any structural or engineering inspection report, completed on or after July 1, 2022.

~~18.~~ 20. All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(b) The official records specified in subparagraphs (a)1.-6. must be permanently maintained from the inception of the association. All other official records must be maintained within the state for at least 7 years, unless otherwise provided by general law. All official records must be maintained in a manner and format delineated by Division rule so that records are easily accessible for inspection. The Division shall adopt rules to ensure the availability and accessibility of records as required by this sub-section. The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 10

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working days after receipt of a written request by the board or its designee. However, such distance requirement does not apply to an association governing a timeshare condominium. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property, or the association may offer the option of making the records available to a unit owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. The association is not responsible for the use or misuse of the information provided to an association member or his or her authorized representative pursuant to the compliance requirements of this chapter unless the association has an affirmative duty not to disclose such information pursuant to this chapter.

(c)1. The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The association must provide a checklist of all official records made available in response to a statutorily compliant written request. If any or all of the official records are not available, it must be noted accordingly on the checklist. Each checklist issued to a requestor in conjunction with an official records request must be accompanied by a sworn affidavit from the person facilitating or handling the request on behalf of the association, attesting that the requested documents have been provided to the requestor. The checklist must be maintained by the association for seven years. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member or authorized representative of such member. A renter of a unit has a right to inspect and copy the association's bylaws and rules. The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of

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record inspections and copying. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of

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scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and

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other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and all telephone numbers of each parcel owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgements made pursuant to s. 718.121(4)(c).

(d) The association shall prepare a question and answer sheet as described in s. 718.504, and shall update it annually.

(e)1. The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the condominium or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a

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reasonable fee to the prospective purchaser, lienholder, or the current unit owner for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed $150 plus the reasonable cost of photocopying and any attorney's fees incurred by the association in connection with the response.

2. An association and its authorized agent are not liable for providing such information in good faith pursuant to a written request if the person providing the information includes a written statement in substantially the following form: "The responses herein are made in good faith and to the best of my ability as to their accuracy."

(f) An outgoing board or committee member must relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within 5 days after the election. The division shall impose a civil penalty as set forth in s. 718.501(1)(d)6. against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

(g)1. ~~By January 1, 2019~~, January 1, 2023 an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of all official records of the association as specified in s. 718.111(12)(a)1.- 19. ~~the documents specified in subparagraph 2.~~ on its website.

a. The association's website must be:

(I) An independent website or web portal wholly owned and operated by the association; or

(II) A website or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, or collection of

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subpages or web portals dedicated to the association's activities and on which required notices, records, and documents may be posted by the association.

b. The association's website must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website that contain any notices, records, or documents that must be electronically provided.

~~2. A current copy of the following documents must be posted in digital format on the association's website:~~

~~a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.~~

~~b. The recorded bylaws of the association and each amendment to the bylaws.~~

~~c. The articles of incorporation of the association, or other documents creating the association, and each amendment thereto. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.~~

~~d. The rules of the association.~~

~~e. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website for 1 year. In lieu of summaries, complete copies of the bids may be posted.~~

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~~f. The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.~~

~~g. The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.~~

~~h. The certification of each director required by s. 718.112(2)(d)4.b.~~

~~i. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.~~

~~j. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 718.3027(3).~~

~~k. The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website, or on a separate subpage of the website labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.~~

~~l. Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice pursuant to s. 718.112(2)(c).~~

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website. If

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protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website, the association shall ensure the information is redacted before posting the documents online. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted pursuant to this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

718.111

(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the most recent financial report or a notice that a copy of the most recent financial report will be mailed or hand delivered to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be

AMERICAN OVERSIGHT

limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare a complete set of financial statements in accordance with generally accepted accounting principles. The financial statements must be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

(b)1. An association with total annual revenues of less than $150,000 shall prepare a report of cash receipts and expenditures.

2. A report of cash receipts and disbursements must disclose the amount of receipts by accounts and receipt classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital

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expenditures, deferred maintenance, and any other category for which the association maintains reserves.

(c) An association may prepare, without a meeting of or approval by the unit owners:

1. Compiled, reviewed, or audited financial statements, if the association is required to prepare a report of cash receipts and expenditures;

2. Reviewed or audited financial statements, if the association is required to prepare compiled financial statements; or

3. Audited financial statements if the association is required to prepare reviewed financial statements.

(d) If approved by a majority of the voting interests present at a properly called meeting of the association, an association may prepare:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

Such meeting and approval must occur before the end of the fiscal year and is effective only for the fiscal year in which the vote is taken, except that the approval may also be effective for the following fiscal year. If the developer has not turned over control of the association, all unit owners, including the developer, may vote on issues related to the preparation of the association's financial reports, from the date of incorporation of the association through the end of the second fiscal year after the fiscal year in which the certificate of a surveyor and mapper is

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FL-GOV-22-0226, 20-0378-A-002817

recorded pursuant to s. 718.104(4)(e) or an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit is recorded, whichever occurs first. Thereafter, all unit owners except the developer may vote on such issues until control is turned over to the association by the developer. Any audit or review prepared under this section shall be paid for by the developer if done before turnover of control of the association.

(e) A unit owner may provide written notice to the division of the association's failure to mail or hand deliver him or her a copy of the most recent financial report within 5 business days after he or she submitted a written request to the association for a copy of such report. If the division determines that the association failed to mail or hand deliver a copy of the most recent financial report to the unit owner, the division shall provide written notice to the association that the association must mail or hand deliver a copy of the most recent financial report to the unit owner and the division within 5 business days after it receives such notice from the division. An association that fails to comply with the division's request may not waive the financial reporting requirement provided in paragraph (d) for the fiscal year in which the unit owner's request was made and the following fiscal year. A financial report received by the division pursuant to this paragraph shall be maintained, and the division shall provide a copy of such report to an association member upon his or her request.

(f) By July 1, 2023, a copy of the financial statement as well as copies of adopted budgets of condominium associations, comprised of a threshold amount to be determined by the Division and as specified by rule shall be uploaded to the division's online web portal within 30 days within 30 days after the date the financial

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AMERICAN OVERSIGHT

statements and the adopted budget are due in accordance with the association's governing documents, or if silent, pursuant to s. 718.112(2)(f), F.S., or within 30 days after the beginning of the fiscal year. The division shall have an online web portal system operational by January 1, 2023 which will allow for public searches by association name and fiscal year. The documents submitted to the division shall be maintained in the online web portal for three years.

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AMERICAN OVERSIGHT

From:	Corcoran, Chad
To:	Kopelousos, Stephanie
Cc:	Corcoran, Chad; Alexander, Dee
Subject:	FW: Notice of Termination of Employment for Florida National Guard Soldiers for COVID Vaccine Requirement
Date:	Monday, February 7, 2022 9:48:07 AM
Attachments:	image001.png

Hello Stephanie,

Our office recently received this email from one of our FL National Guard members who is facing termination due to his vaccination status. Was there anything on the state level that we could provide him to assist? He is aware of the laws we passed during special session, but I wasn't sure if we had any information we could also pass along to him that may be useful. I appreciate any guidance you can provide us with this one, thanks!

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

Begin forwarded message:

From: "Hogrefe, Joseph W SFC USARMY NG FLARNG (USA)" <joseph.w.hogrefe.mil@army.mil>
Date: February 2, 2022 at 10:16:18 PM EST
To: "Bean, Aaron" <BEAN.AARON@flsenate.gov>
Subject: Notice of Termination of Employment for Florida National Guard Soldiers for COVID Vaccine Requirement

Dear Senator Bean,

I am writing to first thank you for your service to our great state, and for defending freedom for all Floridians. Your leadership is greatly appreciated. Second, I am writing to inform you

AMERICAN OVERSIGHT

(and ask your assistance) in preventing the unlawful termination of employment for many full-time Florida National Guard soldiers (including myself) due to the COVID vaccine mandate. The Florida National Guard has given notice of employment termination to any full-time Guardsman who does not take the vaccine, despite the law that the Florida legislature and the Governor enacted last November to protect Floridians' jobs, both public and private. This unlawful directive is in violation of state law and is a detriment to military readiness in the state. Any assistance you can provide to allow us to continue to serve our great state is humbly appreciated.

Respectfully,
Joseph Hogrefe
SFC, FLARNG

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Corcoran, Chad
To: Kopelousos, Stephanie
Cc: Corcoran, Chad; Alexander, Dee
Subject: FW: Notice of Termination of Employment for Florida National Guard Soldiers for COVID Vaccine Requirement
Date: Monday, February 7, 2022 9:48:07 AM
Attachments: image001.png

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13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

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AMERICAN OVERSIGHT

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Respectfully,
Joseph Hogrefe
SFC, FLARNG

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: FW: Ransomware
Date: Wednesday, December 1, 2021 4:38:57 PM
Attachments: image001.png
Ransom Bill Text - Draft Form - 10-4-21.docx

Here's your draft number: 4-01480-22

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:21 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: Ransomware

Can you please put this in bill drafting? There is a public records bill 5-00990-22….is already in bill drafting tied to a bigger bill with more than just ransomware.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to cyber-ransom; amending s. 815.03, F.S.; providing definition of public funds; amending s. 815.06, F.S.; prohibiting cyber-ransom payments by public entities; requiring reporting of cyber-ransom attacks; providing for public records exemption; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 815.03, Florida Statutes, is amended to read:

815.03 Definitions.-

(13) "Public funds" means all monies under the jurisdiction or control of Public Entities.

Section 2. Section 815.06, Florida Statutes, is amended to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) No public entity as defined in s. 287.133 (2) and or business entity acting on behalf of such a public entity shall use public funds to pay or have another entity pay on their behalf ransom to individuals or groups who have committed a cyber-crime as defined in s. 815. Exception to this prohibition is allowed if the Governor or his designee approves the payment based upon his/her determination that the payment is necessary to:

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002828

(a) Prevent an imminent threat or public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c)Prevent the disruption of a specific law enforcement investigation.

(11) All public entities that are subjected to a cyber-ransomware attack shall notify the Florida Department of Law Enforcement (FDLE) and the Florida Digital Service (FLDS) within 24 hours.

(12) All records of ransom demands and approval of payments by the Governor or his designees pursuant to 815.06 (10) are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 3. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002829

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: FW: Transfer draft #4-01445B-22 State Attorney
Date: Friday, January 7, 2022 12:37:31 PM
Attachments: image001.png

Done

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>
Sent: Friday, January 7, 2022 12:19 PM
To: Ruiz, Judith <Ruiz.Judith@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: RE: Transfer draft #4-01445B-22 State Attorney

This has been transferred to Senator Diaz.

From: Ruiz, Judith <Ruiz.Judith@flsenate.gov>
Sent: Friday, January 7, 2022 12:03 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>; Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: Re: Transfer draft #4-01445B-22 State Attorney

Senator Diaz accepts the transfer

Sent from my iPhone

> On Jan 7, 2022, at 11:55 AM, Alexander, Dee <ALEXANDER.DEE@flsenate.gov> wrote:
>
> Hello Lisa—
> Please transfer the above referenced draft to Senator Manny Diaz. His staff is copied on this email and will respond.
>
> Appreciate it,
> Dee

AMERICAN OVERSIGHT

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: FW: Transfer draft #4-01445B-22 State Attorney
Date: Friday, January 7, 2022 12:37:31 PM
Attachments: image001.png

Done

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

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Sent: Friday, January 7, 2022 12:19 PM
To: Ruiz, Judith <Ruiz.Judith@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Farinas, Claudia <Farinas.Claudia@flsenate.gov>
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To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>; Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: Re: Transfer draft #4-01445B-22 State Attorney

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Sent from my iPhone

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>
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>
> Appreciate it,
> Dee

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President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Alexander, Dee
Subject:	FW: bill Drafting Law Enforcement
Date:	Wednesday, December 1, 2021 4:47:18 PM
Attachments:	image001.png Law Enforcement - Bill Draft.docx

Here's your draft number: 4-01476-22

Dee Alexander | Sr. Chief Legislative Aide

Office of Senator Aaron Bean

President Pro Tempore

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:23 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: bill Drafting Law Enforcement

Can you also put this in bill drafting.
Thanks,
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to law enforcement; amending s. 784.049, F.S.; enumerating electronic platforms used in the commission of criminal sexual cyberharassment; amending s. 787.07; requiring the Criminal Justice Standards and Training Commission to establish specified training for human smuggling; providing criminal penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended to read:

(c) "Sexually cyberharass" means to publish to any ~~an~~ social networking service or Internet website, including to any electronic application or internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

Section 2. Subsection (3) and (4) are added to section 787.07, Florida Statutes, to read:

(1) A person who transports into this state an individual

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AMERICAN OVERSIGHT

who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of this section.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

(4) The degree of an offense shall be reclassified as follows if a person causes great bodily harm, permanent disability, or permanent disfigurement to another person during the commission of an offense under this section shall be reclassified as a felony of the second degree.

Section 3. This act shall take effect July 1, 2022.

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From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Alexander, Dee
Subject:	FW: bill drafting.state attorney
Date:	Wednesday, December 1, 2021 4:48:59 PM
Attachments:	image001.png State attorney bill format 11-17-21 - sck.docx

Here's your draft number: 4-01445-22

Dee Alexander | Sr. Chief Legislative Aide

Office of Senator Aaron Bean

President Pro Tempore

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:27 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: bill drafting.state attorney

can you also put his in bill drafting.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to the duties of state attorneys; amending s. 27.14, F.S.; providing neglect of duty as a qualification for removal; creating s. 112.39, F.S.; requiring state attorneys to provide documentation upon request of the Governor; authorizing the Governor to suspend state attorneys due to dereliction of duty; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1), (2), and (3) of section 27.14, Florida Statutes, are amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, including but not limited to neglect of duty of such state attorney, the Governor determines that the ends of justice would be best served, the Governor may, by executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of

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AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002842

issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

(2) If the statewide prosecutor in charge of the Office of Statewide Prosecution determines that he or she is not qualified to represent the state in any investigation, case, or matter pending in the courts of the state or if a court of competent jurisdiction disqualifies him or her from representing the state, the Governor may, by executive order filed with the Department of State, order an assignment of any state attorney to discharge the duties of such prosecutor with respect to one or more specified investigations, cases, or matters, generally described in the order. The assignment of any state attorney shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such assignment.

(3) Whenever a state attorney is exchanged or assigned, he or she may designate one or more of his or her assistant state attorneys and state attorney investigators to perform the duties assigned under the executive order.

Section 2. Creating section 112.39, Florida statutes, to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing their subordinates to make, case-specific determinations as to whether the facts of each case in their circuit justify prosecution, and

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V

AMERICAN OVERSIGHT

upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case where an arrest was made and prosecution was not sought or information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type or class of case, including but not limited to the penalty phase of death penalty eligible cases, shall be evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including but not limited to the failure of such state attorney to exercise prosecutorial discretion by failing to make, or failing to direct their subordinates to make, a case-specific determination as to whether the facts of each case in their circuit justify prosecution as stated herein, or the failure of such state attorney, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination as described above.

Section 3. This act shall take effect July 1, 2022.

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V

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002844

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: FW: for Bill Drafting...Abortion
Date: Wednesday, December 1, 2021 4:37:11 PM
Attachments: image001.png
Option 1.docx

Here's your draft number: 4-01522-22

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, December 1, 2021 8:04 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: for Bill Drafting...Abortion

Dee,
I spoke to Senator Bean last night regarding putting some bills in bill drafting. He asked me to send them to you.
Thank you so much for your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to abortion; amending s. 390.0111; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 390.0111, Florida Statutes, is amended to read:

390.0111-Termination of pregnancies

(2) PERFORMANCE BY PHYSICIAN REQUIRED.—No termination of pregnancy shall be performed at any time except by a physician as defined in s. 390.011.

(a) No termination of pregnancy shall be performed at any time after 15 gestational weeks unless one of the following conditions are met in s.390.0111 and s 390.01112.

Section 2. This act shall take effect July 1, 2022.

DRAFT

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Updated: 4/22/2022 10:58 AM

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: Fuel Tax Draft A
Date: Friday, January 7, 2022 9:10:31 AM
Attachments: image001.png
Gov Fuel Tax DRAFT A.billdraft86083.docx

See attached.
Here are drafters comments:

Sarah Shuler: (1/5/2022 9:09 AM):
Hi Dee,
One additional question--now that this version has lengthened the tax relief period beyond the month of October, should Section 10 of the draft be revised to refer to the new extended time period instead of only October?

Sarah Shuler: (1/5/2022 8:39 AM):
Hi Dee,
I wanted to mention that in Section 13 of the draft, I revised the last line of each subsection to refer to Section 2 of the act instead of Section 12. I believe this was a typo since Section 12 refers to appropriations, while Section 2 speaks to the noncollection of taxes. Please ensure that this conforms with what was intended. Please let me know if you have any questions.

Dee Alexander | Sr. Chief Legislative Aide
President Pro Tempore Aaron Bean | Florida Senate 4th District
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578
alexander.dee@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

4-01453A-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding a specified felony under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for a specified violation; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; requiring the department to determine the amount of taxes not collected; providing for an appropriation; providing for reversion of unexpended funds; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

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FL_GOV_22-0226_20-0378A-002850

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on July 1, 2022, through 11:59 p.m. on November 30, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-002851

rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

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4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-002853

of 2022;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

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FL GOV 22-0226 20-0378A-002854

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida

AMERICAN OVERSIGHT

Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. By January 15, 2023, the Department of Revenue shall calculate the number of gallons sold at the reduced tax and shall determine the amount of taxes not collected under s. 206.41(1)(b), (c), (f), and (g), Florida Statutes.

Section 12. For the 2021-2022 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for administering this act. The unexpended balance of funds of this appropriation remaining on June 30, 2022, shall revert and is appropriated for fiscal year 2022-2023 for the same purpose.

Section 13. For the 2022-2023 fiscal year, the following nonoperating transfers from the General Revenue Fund are authorized:

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(1) The sum of no more than $665 million is authorized to be transferred into the State Transportation Trust Fund. Transfers of $133 million each shall be made during the months of September, October, November, and December 2022. A transfer shall be made on or before January 31, 2023, of the lesser of $133 million or the amount of the taxes determined not to have been collected under s. 206.41(1)(g), Florida Statutes, as required in section 2 of this act less $532 million.

(2) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60, Florida Statutes. Transfers of $9 million each shall be made during the months of September, October, November, and December 2022. A transfer shall be made on or before January 31, 2023, of the lesser of $9 million or the amount of the taxes determined not to have been collected under s. 206.41(1)(b), Florida Statutes, as required in section 2 of this act less $36 million.

(3) The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605, Florida Statutes. Transfers of $9 million each shall be made during the months of September, October, November, and December 2022. A transfer shall be made on or before January 31, 2023, of the lesser of $9 million or the amount of the taxes determined not to have been collected under s. 206.41(1)(c), Florida Statutes, as required in section 2 of this act less $36 million.

(4) The sum of no more than $365 million is authorized to be transferred into the Fuel Tax Collection Trust Fund

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FL_GOV_22-0226_20-0378A-002857

maintained by the State Treasury for distribution as provided in s. 206.608, Florida Statutes. Transfers of $73 million each shall be made during the months of September, October, November, and December 2022. A transfer shall be made on or before January 31, 2023, of the lesser of $73 million or the amount of the taxes determined not to have been collected under s. 206.41(1)(f), Florida Statutes, as required in section 2 of this act less $292 million.

Section 14. This act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-002858

From: Gayle Harrell Campaign
To: Kopelousos, Stephanie
Subject: Fwd: Re our daughter Rachel Halpern
Date: Sunday, December 12, 2021 5:10:21 PM

Per our conversation.

Gayle

Sent from my iPhone. Please excuse any typos or "auto corrections" that make no sense.
Gayle Harrell

Begin forwarded message:

> **From:** Arnold Halpern <halpernnj@yahoo.com>
> **Date:** December 12, 2021 at 4:34:22 PM EST
> **To:** Gayle Harrell Campaign <gharrell@gayleharrell.com>
> **Subject: Re: Re our daughter Rachel Halpern**
>
> Our phone number is 732-272-5510
>
> Sent from Yahoo Mail for iPhone
>
> On Sunday, December 12, 2021, 4:33 PM, Gayle Harrell Campaign <gharrell@gayleharrell.com> wrote:
>
> > I just tried to call you on the number listed below and left a message. The voice mail indicated that the number belonged to a Camille. Please give me a call at 772-260-7301 to discuss your daughter's plight.
> > Gayle
> >
> > Sent from my iPhone. Please excuse any typos or "auto corrections" that make no sense.
> > Gayle Harrell
> >
> > > On Dec 7, 2021, at 11:57 AM, Arnold Halpern <halpernnj@yahoo.com> wrote:
> > >
> > > Good Morning,
> > >
> > > Attached is a letter from our daughter Rachel, requesting help to find her a spot to complete her Endodontic Dental residency program in Florida.

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There are 2 programs in Florida, one in Gainesville and one at Nova Health near Hollywood Florida.

We have been struggling with NYU for some time as per her letter but we have come to realize the cost of court action, legal fees etc. is too much to bear when dealing with in institution this large. She is entitled to Title III and Title VII accommodation in theory but it would take too much time and finances in a hostile environment to persist. The simplest answer is for her to change schools. Sadly, the number of chairs for this specialty is limited.

Any thoughts or ideas might help would be so much appreciated.

Sincere best regards,

Arnold Halpern MD
Barbara Halpern RD

1572 NW Old Oak Ter,
Jensen Beach, Fl., 34957

ph 732-272-5520
email halpernnj@yahoo.com

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: Fwd: Your drafts
Date: Thursday, January 6, 2022 3:44:31 PM
Attachments: Gov.State Attorney.billdraft86075 + RDN edits.docx

---

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | Florida Senate 4th District

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

Begin forwarded message:

From: "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
Date: January 4, 2022 at 1:02:49 PM EST
To: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Cc: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Subject: RE: Your drafts

Dee,
Here are a few edits for the attached bill.
Thanks,
Stephanie

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Wednesday, December 22, 2021 1:34 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: Fwd: Your drafts

Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas

AMERICAN OVERSIGHT

Dee

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Begin forwarded message:

From: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Date: December 15, 2021 at 5:27:03 PM EST
To: "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
Cc: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Subject: Your drafts

Stephanie---

1. Here are 6 of your 8 drafts that are currently 'released for approval'.

2. The attached 'Abortion Option 1' draft has the following comments from the drafter:

Oaj Gilani: (12/3/2021 12:29 PM):
Hi Dee,
I wanted to explain the changes I made in drafting this bill. The attachment wanted to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

3. The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:

Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied

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pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.
NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

4. Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226, 20-0378A-002864

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of the State of Florida. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. ~~and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty.~~ The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to ~~exercise prosecutorial discretion~~ faithfully enforce the criminal laws of the State of Florida.

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(2) It is the duty of the state attorney, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the execution of the duty to faithful enforce the criminal laws of the State of Florida, as set forth in subsection (1), including, but not limited to, any policies prohibiting or restricting the prosecution of any type of case.

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1) ~~exercise prosecutorial discretion by failing to make,~~; or the state attorney's failure to provide information upon request of the Governor, as set forth in subsection (2). ~~failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.~~

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Corcoran, Chad; Alexander, Dee
Subject:	Fwd: Your drafts
Date:	Wednesday, December 22, 2021 1:34:16 PM
Attachments:	Gov.State Attorney.billdraft86075.docx Gov.Fuel Tax Holiday.billdraft86083.docx Gov.Transparency.billdraft86108.docx Gov.Abortion Option 1.billdraft86152.docx Gov.Ransom.billdraft86110.docx Gov.Law Enforcement.billdraft86106.docx Fuel Tax Holiday - with drafters comments.docx

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Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas
Dee

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | **Florida Senate 4th District**
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Begin forwarded message:

> **From:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Date:** December 15, 2021 at 5:27:03 PM EST
> **To:** "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
> **Cc:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Subject: Your drafts**
>
> Stephanie---
> <!--[if !supportLists]-->1) <!--[endif]-->Here are 6 of your 8 drafts that are currently 'released for approval'.
>
> <!--[if !supportLists]-->2) <!--[endif]-->The attached 'Abortion Option 1' draft has the following comments from the drafter:
> Oaj Gilani: (12/3/2021 12:29 PM):
> Hi Dee,
> I wanted to explain the changes I made in drafting this bill. The attachment wanted

AMERICAN OVERSIGHT

to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

<!--[if !supportLists]-->3) <!--[endif]-->The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:
Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.
NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

<!--[if !supportLists]-->4) <!--[endif]-->Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

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AMERICAN OVERSIGHT

Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002870

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to exercise prosecutorial discretion by

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FL-GOV-22-0226_20-0378A-002871

failing to make, or failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002872

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. <u>This act may be cited as the "Florida Motor Fuel</u>

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Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

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of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

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4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

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(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

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FL_GOV_22-0226_20-0378A-002880

4-01478-22

A bill to be entitled

An act relating to prescription price transparency; amending s. 408.062, F.S.; increasing the number of frequently prescribed medicines that the Agency for Health Care Administration must sample in its monthly analysis of retail prices for prescription medicines in this state; specifying the frequency with which the agency must publish specified price data from such analyses on its website; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (h) of subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062 Research, analyses, studies, and reports.—

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the 500 ~~300~~ most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data must ~~shall~~ be reported for the generic drug and ~~price data of~~ a brand-named drug for which the generic drug is the equivalent ~~shall be reported~~. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The

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data collected must ~~shall~~ be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-002882

A bill to be entitled

An act relating to abortion; amending s. 390.011, F.S.; defining the term "gestational age"; amending s. 390.0111, F.S.; revising the timeframe in which an abortion may be performed without certain exceptions; amending s. 390.01112, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (7) through (13) of section 390.011, Florida Statutes, are redesignated as subsections (8) through (14), respectively, and a new subsection (7) is added to that section, to read:

390.011 Definitions.—As used in this chapter, the term:

(7) "Gestational age" means the actual or probable amount of time that has elapsed from the first day of the last menstrual period of the pregnant woman.

Section 2. Subsections (1) and (4) of section 390.0111, Florida Statutes, are amended to read:

390.0111 Termination of pregnancies.—

(1) TERMINATION AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~; WHEN ALLOWED.—A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being after the gestational age of the fetus has reached 15 weeks ~~in the third trimester of pregnancy~~ unless one of the following conditions is met:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of

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substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition.

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(4) STANDARD OF MEDICAL CARE TO BE USED AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~.—If a termination of pregnancy is performed after the gestational age of the fetus has reached 15 weeks ~~in the third trimester~~, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus which the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the pregnant woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 3. Section 390.01112, Florida Statutes, is amended to read:

390.01112 Termination of pregnancies during viability.—

(1) A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being if the physician determines that,

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in reasonable medical judgment, the fetus has achieved viability or reached a gestational age of 15 weeks, whichever occurs earlier, unless:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition; or

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(2) Before performing a termination of pregnancy, a physician must determine if the fetus is viable or has reached a gestational age of 15 weeks by, at a minimum, performing a medical examination of the pregnant woman and, to the maximum extent possible through reasonably available tests and the ultrasound required under s. 390.0111(3), an examination of the fetus. The physician must document in the pregnant woman's medical file the physician's determinations ~~determination~~ and the method, equipment, fetal measurements, and any other information used to determine the viability and gestational age of the fetus.

(3) If a termination of pregnancy is performed during

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viability or after the fetus has reached a gestational age of 15 weeks, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus that the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 4. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-002886

4-01480-22

A bill to be entitled

An act relating to computer-related crimes; amending s. 815.03, F.S.; defining the terms "public entity" and "public funds"; amending s. 815.06, F.S.; requiring public entities to report to the Department of Law Enforcement and the Florida Digital Service specified computer-related crimes within a specified timeframe after a violation is discovered; prohibiting a public entity or a business entity acting on behalf of a public entity from using public funds to pay a ransom to individuals or groups that commit specified offenses; providing exceptions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (13) and (14) are added to section 815.03, Florida Statutes, to read:

815.03 Definitions.—As used in this chapter, unless the context clearly indicates otherwise:

(13) "Public entity" has the same meaning as in s. 287.133.

(14) "Public funds" means all moneys under the jurisdiction or control of a public entity.

Section 2. Subsections (10) and (11) are added to section 815.06, Florida Statutes, to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) A public entity that is the victim of a computer-related crime in violation of this chapter shall notify the

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Department of Law Enforcement and the Florida Digital Service within 24 hours after a violation is discovered.

(11) A public entity or a business entity acting on behalf of a public entity may not use public funds to pay or have another entity pay on the public entity's behalf a ransom to an individual or a group that has committed a computer-related crime in violation of this chapter, unless the Governor or his designee approves a payment based upon his or her determination that the payment is necessary to:

(a) Prevent an imminent threat of public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c) Prevent the disruption of a specific law enforcement investigation.

Section 3. This act shall take effect July 1, 2022.

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4-01476-22

A bill to be entitled

An act relating to criminal offenses; amending s. 784.049, F.S.; revising the definition of the term "sexually cyberharass"; amending s. 787.07, F.S.; providing enhanced criminal penalties if great bodily harm, permanent disability, or permanent disfigurement is caused to another person during the commission of a specified offense; providing requirements for the Criminal Justice Standards and Training Commission regarding training and establishing standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

784.049 Sexual cyberharassment.—

(2) As used in this section, the term:

(c) "Sexually cyberharass" means to publish to a social networking service or an Internet website, including to an electronic application or Internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted

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person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

(3)(a) Except as provided in paragraph (b), a person who willfully and maliciously sexually cyberharasses another person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who has one prior conviction for sexual cyberharassment and who commits a second or subsequent sexual cyberharassment commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 787.07, Florida Statutes, is amended to read:

787.07 Human smuggling.—

(1)(a) Except as provided in paragraph (b), a person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person who violates paragraph (a) and in the commission of such offense causes great bodily harm, permanent disability, or permanent disfigurement to another person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of paragraph

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(1)(a) ~~this section~~.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

Section 3. This act shall take effect October 1, 2022.

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FL GOV 22-0226 20-0378A-002891

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

Commented [SS1]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS2]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS3]: Requester: Subparagraph 206.41(1)(g)1. says that " the tax rate shall not be lower than 6.9 cents per gallon". This will contradict that statute. An potential fix would be to add a "notwithstanding" clause.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

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4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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FL-GOV-22-0226, 20-0378-A-002897

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

Commented [SS4]: Requester: Should this be a requirement instead of authorization? (i.e., "funds shall be transferred" instead of "transfers are authorized"?)

It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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FL-GOV-22-0226, 20-0378-A-002898

(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

Commented [SS7]: Requester: same

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002899

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Corcoran, Chad; Alexander, Dee
Subject:	Fwd: Your drafts
Date:	Wednesday, December 22, 2021 1:34:16 PM
Attachments:	Gov.State Attorney.billdraft86075.docx Gov.Fuel Tax Holiday.billdraft86083.docx Gov.Transparency.billdraft86108.docx Gov.Abortion Option 1.billdraft86152.docx Gov.Ransom.billdraft86110.docx Gov.Law Enforcement.billdraft86106.docx Fuel Tax Holiday - with drafters comments.docx

---

Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas
Dee

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | **Florida Senate 4th District**
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Begin forwarded message:

> **From:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Date:** December 15, 2021 at 5:27:03 PM EST
> **To:** "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
> **Cc:** "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
> **Subject: Your drafts**
>
> Stephanie---
> <!--[if !supportLists]-->1) <!--[endif]-->Here are 6 of your 8 drafts that are currently 'released for approval'.
>
> <!--[if !supportLists]-->2) <!--[endif]-->The attached 'Abortion Option 1' draft has the following comments from the drafter:
> Oaj Gilani: (12/3/2021 12:29 PM):
> Hi Dee,
> I wanted to explain the changes I made in drafting this bill. The attachment wanted

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to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

<!--[if !supportLists]-->3) <!--[endif]-->The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:
Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.
NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

<!--[if !supportLists]-->4) <!--[endif]-->Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville

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Main 850.487.5004 Capitol

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4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

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executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to exercise prosecutorial discretion by

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failing to make, or failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.

Section 3. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-002905

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. <u>This act may be cited as the "Florida Motor Fuel</u>

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FL_GOV_22-0226_20-0378A-002906

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

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of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

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4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

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(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

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FL_GOV_22-0226_20-0378A-002913

4-01478-22

A bill to be entitled

An act relating to prescription price transparency; amending s. 408.062, F.S.; increasing the number of frequently prescribed medicines that the Agency for Health Care Administration must sample in its monthly analysis of retail prices for prescription medicines in this state; specifying the frequency with which the agency must publish specified price data from such analyses on its website; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (h) of subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062 Research, analyses, studies, and reports.—

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the 500 ~~300~~ most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data must ~~shall~~ be reported for the generic drug and ~~price data of~~ a brand-named drug for which the generic drug is the equivalent ~~shall be reported~~. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The

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data collected must ~~shall~~ be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-002915

A bill to be entitled

An act relating to abortion; amending s. 390.011, F.S.; defining the term "gestational age"; amending s. 390.0111, F.S.; revising the timeframe in which an abortion may be performed without certain exceptions; amending s. 390.01112, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (7) through (13) of section 390.011, Florida Statutes, are redesignated as subsections (8) through (14), respectively, and a new subsection (7) is added to that section, to read:

390.011 Definitions.—As used in this chapter, the term:

(7) "Gestational age" means the actual or probable amount of time that has elapsed from the first day of the last menstrual period of the pregnant woman.

Section 2. Subsections (1) and (4) of section 390.0111, Florida Statutes, are amended to read:

390.0111 Termination of pregnancies.—

(1) TERMINATION AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~; WHEN ALLOWED.—A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being after the gestational age of the fetus has reached 15 weeks ~~in the third trimester of pregnancy~~ unless one of the following conditions is met:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of

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substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition.

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(4) STANDARD OF MEDICAL CARE TO BE USED AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~.—If a termination of pregnancy is performed after the gestational age of the fetus has reached 15 weeks ~~in the third trimester~~, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus which the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the pregnant woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 3. Section 390.01112, Florida Statutes, is amended to read:

390.01112 Termination of pregnancies during viability.—

(1) A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being if the physician determines that,

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FL-GOV-22-0226_20-0378A-002917

in reasonable medical judgment, the fetus has achieved viability or reached a gestational age of 15 weeks, whichever occurs earlier, unless:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition; or

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(2) Before performing a termination of pregnancy, a physician must determine if the fetus is viable or has reached a gestational age of 15 weeks by, at a minimum, performing a medical examination of the pregnant woman and, to the maximum extent possible through reasonably available tests and the ultrasound required under s. 390.0111(3), an examination of the fetus. The physician must document in the pregnant woman's medical file the physician's determinations ~~determination~~ and the method, equipment, fetal measurements, and any other information used to determine the viability and gestational age of the fetus.

(3) If a termination of pregnancy is performed during

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viability or after the fetus has reached a gestational age of 15 weeks, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus that the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 4. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-002919

4-01480-22

A bill to be entitled

An act relating to computer-related crimes; amending s. 815.03, F.S.; defining the terms "public entity" and "public funds"; amending s. 815.06, F.S.; requiring public entities to report to the Department of Law Enforcement and the Florida Digital Service specified computer-related crimes within a specified timeframe after a violation is discovered; prohibiting a public entity or a business entity acting on behalf of a public entity from using public funds to pay a ransom to individuals or groups that commit specified offenses; providing exceptions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (13) and (14) are added to section 815.03, Florida Statutes, to read:

815.03 Definitions.—As used in this chapter, unless the context clearly indicates otherwise:

(13) "Public entity" has the same meaning as in s. 287.133.

(14) "Public funds" means all moneys under the jurisdiction or control of a public entity.

Section 2. Subsections (10) and (11) are added to section 815.06, Florida Statutes, to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) A public entity that is the victim of a computer-related crime in violation of this chapter shall notify the

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FL GOV 22-0226 20-0378A-002920

Department of Law Enforcement and the Florida Digital Service within 24 hours after a violation is discovered.

(11) A public entity or a business entity acting on behalf of a public entity may not use public funds to pay or have another entity pay on the public entity's behalf a ransom to an individual or a group that has committed a computer-related crime in violation of this chapter, unless the Governor or his designee approves a payment based upon his or her determination that the payment is necessary to:

(a) Prevent an imminent threat of public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c) Prevent the disruption of a specific law enforcement investigation.

Section 3. This act shall take effect July 1, 2022.

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FL GOV 22-0226, 20-0378A-002921

4-01476-22

A bill to be entitled

An act relating to criminal offenses; amending s. 784.049, F.S.; revising the definition of the term "sexually cyberharass"; amending s. 787.07, F.S.; providing enhanced criminal penalties if great bodily harm, permanent disability, or permanent disfigurement is caused to another person during the commission of a specified offense; providing requirements for the Criminal Justice Standards and Training Commission regarding training and establishing standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

784.049 Sexual cyberharassment.—

(2) As used in this section, the term:

(c) "Sexually cyberharass" means to publish to a social networking service or an Internet website, including to an electronic application or Internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted

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person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

(3)(a) Except as provided in paragraph (b), a person who willfully and maliciously sexually cyberharasses another person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who has one prior conviction for sexual cyberharassment and who commits a second or subsequent sexual cyberharassment commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 787.07, Florida Statutes, is amended to read:

787.07 Human smuggling.—

(1)(a) Except as provided in paragraph (b), a person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person who violates paragraph (a) and in the commission of such offense causes great bodily harm, permanent disability, or permanent disfigurement to another person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of paragraph

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FL_GOV_22-0226_20-0378A-002923

(1)(a) ~~this section~~.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

Section 3. This act shall take effect October 1, 2022.

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002924

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

Commented [SS1]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS2]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS3]: Requester: Subparagraph 206.41(1)(g)1. says that " the tax rate shall not be lower than 6.9 cents per gallon". This will contradict that statute. An potential fix would be to add a "notwithstanding" clause.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

FL-GOV-22-0226, 20-0378-A-002926

AMERICAN OVERSIGHT

of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

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4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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FL-GOV-22-0226, 20-0378-A-002930

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

Commented [SS4]: Requester: Should this be a requirement instead of authorization? (i.e., "funds shall be transferred" instead of "transfers are authorized"?)

It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

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(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

Commented [SS7]: Requester: same

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002932

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: Fwd: Your drafts
Date: Thursday, January 6, 2022 3:44:31 PM
Attachments: Gov.State Attorney.billdraft86075 + RDN edits.docx

---

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | Florida Senate 4th District

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

Begin forwarded message:

From: "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
Date: January 4, 2022 at 1:02:49 PM EST
To: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Cc: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Subject: RE: Your drafts

Dee,
Here are a few edits for the attached bill.
Thanks,
Stephanie

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Wednesday, December 22, 2021 1:34 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: Fwd: Your drafts

Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas

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Dee

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Begin forwarded message:

From: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Date: December 15, 2021 at 5:27:03 PM EST
To: "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
Cc: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Subject: Your drafts

Stephanie---

1. Here are 6 of your 8 drafts that are currently 'released for approval'.

2. The attached 'Abortion Option 1' draft has the following comments from the drafter:

Oaj Gilani: (12/3/2021 12:29 PM):
Hi Dee,
I wanted to explain the changes I made in drafting this bill. The attachment wanted to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

3. The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:

Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied

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pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.
NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

4. Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

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FL GOV 22-0226 20-0378A-002936

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of the State of Florida. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. ~~and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty.~~ The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to ~~exercise prosecutorial discretion~~ faithfully enforce the criminal laws of the State of Florida.

AMERICAN OVERSIGHT

(2) It is the duty of the state attorney, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the execution of the duty to faithful enforce the criminal laws of the State of Florida, as set forth in subsection (1), including, but not limited to, any policies prohibiting or restricting the prosecution of any type of case.

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1) ~~exercise prosecutorial discretion by failing to make,~~; or the state attorney's failure to provide information upon request of the Governor, as set forth in subsection (2). ~~failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.~~

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

From:	Corcoran, Chad
To:	Kopelousos, Stephanie
Cc:	Eagle, Dane; Schrader, John; Alexander, Dee
Subject:	Grant Recommendation from Pro Tempore Bean
Date:	Monday, March 28, 2022 1:57:16 PM
Attachments:	image001.png Letter of Support for Callahan-Nassau County"s Grant.docx

Hello Stephanie,

Pro Tempore Bean wrote a letter of support to Governor DeSantis for the town of Callahan and Nassau County regarding a grant they're hoping to get. Please see the attached letter and let me know if there is anything else needed from our office, thank you.

Regards,

Chad Corcoran | *Legislative Aide*

President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Appropriations Subcommittee on Health and Human Services, *Chair*
Appropriations, *Vice Chair*
Environment and Natural Resources
Health Policy
Reapportionment
Rules

SELECT SUBCOMMITTEE:
Select Subcommittee on Congressional Reapportionment

JOINT COMMITTEES:
Joint Select Committee on Collective Bargaining, *Alternating Chair*
Joint Legislative Budget Commission

SENATOR AARON BEAN
President Pro Tempore
4th District

March 25, 2022

The Honorable Ron DeSantis
Governor of Florida
State Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Dear Governor DeSantis:

There is a $4,000,000 grant that has been submitted on behalf of the Town of Callahan in efforts to build on the infrastructure for one of the mega sites in Nassau County. The town has been working closely with a major manufacturer who is prepared to relocate their business to the county. I am requesting your support in helping us make this happen as the potential benefits of bringing 800 new (FTE) jobs and a capital investment of $400,000,000 would open the floodgates of opportunity.

Development of this type represents a structural change in the character of the Nassau County economy. Diversification and development of key local economic advantages would result from this type of structural change. The ability to take advantage of the economic opportunities available at Crawford Diamond Industrial Park will support a more economically stable and growing community in Nassau County.

Thank you for your support in economic development throughout our beautiful state. I enthusiastically support their proposal for funding and hope you will too.

Sincerely,

Aaron Bean
State Senator | 4th District

REPLY TO:
❒ Duval Station, 13453 North Main Street, Suite 301, Jacksonville, Florida 32218 (904) 757-5039 FAX: (888) 263-1578
❒ 404 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5004 FAX: (850) 410-4805

Senate's Website: *www.flsenate.gov*

WILTON SIMPSON
President of the Senate

AARON BEAN
President Pro Tempore

AMERICAN OVERSIGHT
FL-GOV-22-0226, 20-0878-A-002941

From: Sweeney, Karen
To: Kopelousos, Stephanie
Subject: Proclamation
Date: Tuesday, February 8, 2022 8:13:17 AM
Attachments: Proclamation Proposal.docx

Good Morning Stephanie,
Please find attached the Proclamation which Senator Harrell did for Mr. Yuenger. The request is to ask the Governor to also do a Proclamation to declare March 17, 2022, as Bergman Women of Menominee Day in Florida. Thank you for your assistance in the ask.
Take care and have a great day,

Karen Sweeney

SENIOR LEGISLATIVE AIDE TO
SENATOR GAYLE HARRELL, DISTRICT 25
DISTRICT OFFICE PHONE ~ 772.221.4019
TALLAHASSEE OFFICE PHONE ~ 850.487.5025

AMERICAN OVERSIGHT

WHEREAS Nana Macaulay Bergman (1897-1982) taught school for the children of the Potawatomi Indian Reservation, Hannahville, Michigan at the age of 19,

WHEREAS after her marriage to John George Bergman they began their family in Madison, Wisconsin. Their first daughter, Shirley Irene, was born on April 4, 1920. The other 5 girls followed, their son later,

WHEREAS Nana taught herself music arrangement and began creating six-part acapella harmony versions for the popular songs. She taught the six girls each their part based on their own voices. They became the Bergman Sisters Sextet.

WHEREAS with the onset of the great depression the family moved in with Nana's mother (Mary Katherine Harris Macaulay) on Dunlap Ave, Menominee, Michigan,

WHEREAS Here the children claimed, despite poverty, they only learned they were poor as adults. Their mother made each day a joy and an opportunity for learning,

WHEREAS in 1936 the Bergman Sisters Sextet entered the Upper Peninsula State Fair vocal festival contest in Escanaba, Michigan and placed second competing with much larger choirs,

WHEREAS Shirley Bergman graduated Menominee High in 1937,

WHEREAS upon moving to Grosse Pointe, Michigan finding affordable housing for their family was impossible. Nana saw a large empty home adjacent to the Edsel Ford property which needed significant maintenance. Nana approached the neighbor and with persistence negotiated a lease for a small portion of the expected rent,

WHEREAS Nana Bergman and two friends began Detroit's first daycare center in the basement of a building owned by their sponsor, JL Hudson Co. At the time working women had few options and day care was unheard of; women needed their husband's permission to open a checking account; were not known able to tackle such an innovative project.

WHEREAS World War II began and demands for aircraft exploded. Two of the Bergman girls, Peggy and Beverly, landed jobs as "Rosie the Riveters" at Willow Run. Here they built the famous bombers so critical to winning the war. Earning their first paychecks they were part of the social change including women in America's workforce,

WHEREAS the Bergman Sisters Sextet formed a trio to perform in dinner clubs in the area such as The Latin Quarter where, on their last performance in July, they learned they earned a program spot on WJR Radio singing war tunes,

WHEREAS in late 1945, Peggy, Beverly, and Ellen (only 18), as the Doleens joined the USO touring the South Pacific entertaining the troops on a schedule like that of Bob Hope. They visited Guam, Eniwetok, Iowa Jima, Okinawa, Saipan, Hiroshima, Tokyo, and Korea.

WHEREAS after the war they all successfully raised families and continued their signing. A few examples of their other activities: Shirley was an activist helping obtain living wages for

Proposed

AMERICAN OVERSIGHT

farm workers in El Salvador; Peggy a newspaper editor and founder of a Women's Authors Organization in Stuart, Florida; Ellen a private duty oncology nurse,

WHEREAS Nana and John Bergman, Shirley Bergman Yuenger, Peggy Bergman Meissner, Jacky Bergman Farago, and Ellen Bergman Masty spent their retirement years in Stuart, Florida. The Bergman Sisters Sextet performed regularly for family and larger crowds,

WHEREAS the Bergman women of Menominee, are remembered today for caring for the least of us, dedication to family, never ceasing to learn, being financially responsible, being people of faith, proudly standing as Americans, expecting to find goodness in others. Having taught their children that we can make a difference and that people, all over the world are fascinating and good,

NOW, THEREFORE, I, Gayle Harrell, Senator, of the State of Florida, District 25, do declare March 17, 2022, as *Bergman Women of Menominee Day* in Florida.

Proposed

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Burdette,Brenda
Subject: RE: 4-01453-22 - Fuel Tax
Date: Tuesday, January 4, 2022 2:28:37 PM

Submitted.

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 7:51 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: 4-01453-22 - Fuel Tax

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Burdette,Brenda
Subject: RE: 4-01453-22 - Fuel Tax
Date: Tuesday, January 4, 2022 2:28:37 PM

Submitted.

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 7:51 AM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: 4-01453-22 - Fuel Tax

We included some changes….
Thanks for all your help.
Stephanie

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

From: Corcoran, Chad
To: Aaron, Chelsea; Meiner, Drew
Subject: RE: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Thursday, January 20, 2022 10:22:18 AM
Attachments: image001.png

Thank you Drew and Chelsea,

Pro Tempore Bean appreciates all the assistance! And nice to connect with you, Chelsea, we can keep in touch on this one.

Regards,

Chad Corcoran | *Legislative Aide*
President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Aaron, Chelsea <Chelsea.Aaron@eog.myflorida.com>
Sent: Wednesday, January 19, 2022 2:18 PM
To: Meiner, Drew <Drew.Meiner@eog.myflorida.com>; Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Subject: RE: CSX Special Agent Commissions - Constituent issue from Senator Bean

Hi Chad,

Looking forward to working with you.

Chelsea

From: Meiner, Drew <Drew.Meiner@eog.myflorida.com>
Sent: Wednesday, January 19, 2022 2:11 PM
To: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Cc: Aaron, Chelsea <Chelsea.Aaron@eog.myflorida.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue from Senator Bean

AMERICAN OVERSIGHT

Chad, thank you for your help on this. I am copying the Governor's new appointments director, Chelsea Aaron. I'll bring her up to speed and we'll work on these four individuals.

Thank you,
Drew Meiner

From: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Sent: Tuesday, January 18, 2022 9:45 AM
To: Meiner, Drew <Drew.Meiner@eog.myflorida.com>; Feltgen, Jaclyn <Jaclyn.Feltgen@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Subject: CSX Special Agent Commissions - Constituent issue from Senator Bean

Hello Drew and Jaclyn,

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Regards,

Chad Corcoran | *Legislative Aide*
President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Thursday, January 13, 2022 8:12 PM
To: Aaron <aaron@aaronbean.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue

Mr. Bean,

AMERICAN OVERSIGHT

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John Gibson - Mailed to the Appointments office 1/13/22 (second submission)

Cory McCarter - Mailed to the Appointments 1/13/22 (second submission)

Robert Poisson - Mailed to the Appointments 1/13/22 (third submission)

Pat.

Begin forwarded message:

From: "Corcoran, Chad" <Corcoran.Chad@flsenate.gov>
Date: August 26, 2021 at 2:04:44 PM EDT
To: Aaron <aaron@aaronbean.com>
Subject: FW: CSX Special Agent Commissions - Constituent issue

Boss,

Regarding Pat Hemphill's issue of the 3 CSX Special Agents waiting on commissions, our office reached out and brought this issue to the Governor's office's attention and asked for assistance in getting it resolved. I heard back from Jaclyn Feltgen from the Office of Appointments in the Executive Office of the Governor on this issue recently.

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AMERICAN OVERSIGHT

- If there are any questions or issues, they can be sent to the Director's email which is Drew.Meiner@eog.myflorida.com.

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From: Patrick Hemphill <pat_hemphill@yahoo.com>
Sent: Monday, June 21, 2021 6:58 PM
To: Aaron <aaron@aaronbean.com>
Subject: Per our conversation this afternoon

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Robert Poisson
John Gibbons
Cory McCarter

Pat Hemphill

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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Corcoran, Chad
To: Aaron, Chelsea; Meiner, Drew
Subject: RE: CSX Special Agent Commissions - Constituent issue from Senator Bean
Date: Thursday, January 20, 2022 10:22:18 AM
Attachments: image001.png

Thank you Drew and Chelsea,

Pro Tempore Bean appreciates all the assistance! And nice to connect with you, Chelsea, we can keep in touch on this one.

Regards,

Chad Corcoran | *Legislative Aide*
President Pro Tempore Aaron Bean | **Florida Senate 4th District**
13453 North Main Street, Suite 301
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404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578

From: Aaron, Chelsea <Chelsea.Aaron@eog.myflorida.com>
Sent: Wednesday, January 19, 2022 2:18 PM
To: Meiner, Drew <Drew.Meiner@eog.myflorida.com>; Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Subject: RE: CSX Special Agent Commissions - Constituent issue from Senator Bean

Hi Chad,

Looking forward to working with you.

Chelsea

From: Meiner, Drew <Drew.Meiner@eog.myflorida.com>
Sent: Wednesday, January 19, 2022 2:11 PM
To: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Cc: Aaron, Chelsea <Chelsea.Aaron@eog.myflorida.com>
Subject: Re: CSX Special Agent Commissions - Constituent issue from Senator Bean

AMERICAN OVERSIGHT

Chad, thank you for your help on this. I am copying the Governor's new appointments director, Chelsea Aaron. I'll bring her up to speed and we'll work on these four individuals.

Thank you,
Drew Meiner

From: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Sent: Tuesday, January 18, 2022 9:45 AM
To: Meiner, Drew <Drew.Meiner@eog.myflorida.com>; Feltgen, Jaclyn <Jaclyn.Feltgen@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
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From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: RE: State Attorney
Date: Friday, January 7, 2022 12:47:15 AM
Attachments: Gov State Attorney DRAFT A.billdraft86075.docx

Stephanie—
Here is our redraft A.
Please review and let me know Friday if more changes are needed.

Here are comments from the drafter as well:
Gabriel Girado: (1/5/2022 8:55 AM):
Hi Dee,

Redrafted as requested; however, on lines 45, 53, 59, and 65-66 the phrase "the criminal laws of the State of Florida" could also be written as "the criminal laws of this state." This phrasing is more common in the statutes. If you'd like to make this change, or any other changes, please let us know via a redraft request. If you have any questions or concerns please do not hesitate to reach out to me.

Kind regards,
Gabriel

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Thursday, January 6, 2022 3:42 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: State Attorney

Stephanie Kopelousos
Director of Legislative Affairs
Executive Office of the Governor
850-717-9320
850-510-6613 (cell)

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AMERICAN OVERSIGHT

4-01445A-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; providing the duties of state attorneys; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; requiring the state attorney to provide a specified statement or written response, upon the Governor's request; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

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FL GOV 22-0226 20-0378A-002964

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—

(1) It is the duty of the state attorney to faithfully enforce the criminal laws of the State of Florida. In executing this duty, the state attorney may exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution. The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to faithfully enforce the criminal laws of the State of Florida.

(2) It is the duty of the state attorney, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing on any subject relating to the execution of the duty to

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faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1), including, but not limited to, any policies prohibiting or restricting the prosecution of any type of case.

(3) A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to faithfully enforce the criminal laws of the State of Florida, as set forth in subsection (1) or the state attorney's failure to comply with a request made by the Governor as described in subsection (2).

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-002966

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: RE: Transfer draft #4-01445B-22 State Attorney
Date: Friday, January 7, 2022 12:50:53 PM
Attachments: image001.png

Yes

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Friday, January 7, 2022 12:50 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: RE: Transfer draft #4-01445B-22 State Attorney

Thank you…..Did they make edits

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Friday, January 7, 2022 12:37 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Subject: FW: Transfer draft #4-01445B-22 State Attorney

Done

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>
Sent: Friday, January 7, 2022 12:19 PM
To: Ruiz, Judith <Ruiz.Judith@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: RE: Transfer draft #4-01445B-22 State Attorney

This has been transferred to Senator Diaz.

AMERICAN OVERSIGHT

From: Ruiz, Judith <Ruiz.Judith@flsenate.gov>
Sent: Friday, January 7, 2022 12:03 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Shumate, Lisa <SHUMATE.LISA@flsenate.gov>; Farinas, Claudia <Farinas.Claudia@flsenate.gov>
Subject: Re: Transfer draft #4-01445B-22 State Attorney

Senator Diaz accepts the transfer

Sent from my iPhone

> On Jan 7, 2022, at 11:55 AM, Alexander, Dee <ALEXANDER.DEE@flsenate.gov> wrote:
>
> Hello Lisa—
> Please transfer the above referenced draft to Senator Manny Diaz. His staff is copied on this email and will respond.
>
> Appreciate it,
> Dee

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
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OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Subject: RE: Your drafts
Date: Tuesday, January 4, 2022 2:33:06 PM

Submitted.
Please let me know to whom we can transfer your drafts to asap.

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Tuesday, January 4, 2022 1:03 PM
To: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>
Subject: RE: Your drafts

Dee,
Here are a few edits for the attached bill.
Thanks,
Stephanie

From: Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Sent: Wednesday, December 22, 2021 1:34 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Cc: Corcoran, Chad <Corcoran.Chad@flsenate.gov>; Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
Subject: Fwd: Your drafts

Hello again—
Just a followup on this email.
I await your instructions on these drafts.

Also, Senator Bean mentioned he is running the Governor's immigration bill. Can you tell me who has that draft in the senate. We need to get it transferred to us asap. Who is the House sponsor?

Call me if needed.

Merry Christmas
Dee

AMERICAN OVERSIGHT

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | Florida Senate 4th District

Main 904.757.5039 Jacksonville

Main 850.487.5004 Capitol

Begin forwarded message:

From: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Date: December 15, 2021 at 5:27:03 PM EST
To: "Kopelousos, Stephanie" <Stephanie.Kopelousos@eog.myflorida.com>
Cc: "Alexander, Dee" <ALEXANDER.DEE@flsenate.gov>
Subject: Your drafts

Stephanie---

1) Here are 6 of your 8 drafts that are currently 'released for approval'.

2) The attached 'Abortion Option 1' draft has the following comments from the drafter:

Oaj Gilani: (12/3/2021 12:29 PM):
Hi Dee,
I wanted to explain the changes I made in drafting this bill. The attachment wanted to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

Best,
Oaj

3) The attached 'Fuel Tax Holiday' draft comes with the following comments from the drafter:

Sarah Shuler: (12/10/2021 8:17 AM):
Hi Dee,
I've attached a document noting some concerns and questions with the language. Importantly, the reduction in the tax levied pursuant to s. 206.41(1)(g) would likely contradict the language in s. 206.41(1)(g) 1. stating that the rate shall not be lower than 6.9 cents/gallon. Further, I defer to Appropriations Committee staff on the best phrasing for transfers from GR to trust funds, though I've noted some questions related to those sections of the draft. Please let me know if you have any questions.

AMERICAN OVERSIGHT

NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

4) Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:
Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Smith, Casey
Cc: Kopelousos, Stephanie
Subject: RSVP
Date: Tuesday, January 11, 2022 12:56:18 PM
Attachments: image001.png

Sorry for the late RSVP, if you have not received as yet.
President Pro Tempore Aaron Bean and his wife Abby Bean will be attending tonight's State of the State Reception.

Sincerely,

Dee Alexander | Sr. Chief Legislative Aide
President Pro Tempore Aaron Bean | Florida Senate 4th District
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578
alexander.dee@flsenate.gov | www.flsenate.gov

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Alexander, Dee
To: Smith, Casey
Cc: Kopelousos, Stephanie
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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: Re: Bill Drafting...Health care (correction)
Date: Wednesday, December 1, 2021 5:25:54 PM
Attachments: image001.png
Transparency Bill.docx

Incorrect number below-
Here's the correct draft #- 4-01478-22

Dee Alexander | Sr. Chief Legislative Aide

Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

> On Dec 1, 2021, at 4:33 PM, Alexander, Dee <ALEXANDER.DEE@flsenate.gov> wrote:
>
> Here's your draft number: 4-01565-22
>
> *Dee Alexander | Sr. Chief Legislative Aide*
> **Office of Senator Aaron Bean**
> **President Pro Tempore**
> Main 904.757.5039 Jacksonville
> Main 850.487.5004 Capitol
>
> ---
>
> **From:** Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
> **Sent:** Wednesday, December 1, 2021 8:08 AM
> **To:** Alexander, Dee <ALEXANDER.DEE@flsenate.gov>
> **Cc:** Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
> **Subject:** Bill Drafting...Health care
>
> Can you please put in bill drafting.
> Thanks,
> Stephanie
>
> **Stephanie Kopelousos**
> Director of Legislative Affairs
> Executive Office of the Governor
> 850-717-9320

AMERICAN OVERSIGHT

850-510-6613 (cell)

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

A bill to be entitled

An act relating to health care; amending s. 408.062; provides for prescription price transparency; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062-Research, analyses, studies and reports

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the ~~300~~ 500 most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data shall be reported for the generic drug and price data of a brand-named drug for which the generic drug is the equivalent shall be reported. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The data collected shall be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Updated: 4/22/2022 11:00 AM

DRAFT

AMERICAN OVERSIGHT

FL-GOV-22-0226, 20-0378-A-002980

From:	Alexander, Dee
To:	Kopelousos, Stephanie
Cc:	Alexander, Dee
Subject:	Resume"s
Date:	Wednesday, March 23, 2022 12:59:56 PM
Attachments:	image001.png Chad Corcoran - Resume 2022.pdf Henry Mahler Resume.pdf

---

Hello Stephanie—
Attached are 2 resume's for review.
Any assistance in helping them land somewhere would be great.

Feel free to reach out to them directly.
Appreciate you,
Dee

Dee Alexander | Sr. Chief Legislative Aide

President Pro Tempore Aaron Bean | Florida Senate 4th District

13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
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AMERICAN OVERSIGHT

SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

CHAD CORCORAN

chadcorcoran@aol.com

(904) 654-0310

Jacksonville, FL 32221

PROFESSIONAL SUMMARY

Experienced legislative aide and political professional with Senate and private-sector experience. In-depth understanding of legislative and appropriations processes with the ability to analyze and track legislation, as well as provide effective messaging on key policies. Substantial network of relationships with aides, committee staff, and elected officials from years of working in the Legislature. Ability to cultivate and maintain relationships with key stakeholders in the process.

SKILLS

- Legislative Policy
- Talking Points and Messaging
- Bill Tracking and Analysis
- Consensus and Relationship Building
- Adaptability and Multi-Tasking

EDUCATION

University of North Florida
Jacksonville, Florida
Bachelor of Arts - Political Science
Minors: Public & Business Administration
Graduated: Fall 2017, Cum Laude

Florida State University
Tallahassee, Florida
Master's in Political Science (MAAPP)
Graduated: Spring 2020

LEADERSHIP & ACCOMPLISHMENTS

- UNF's Fraternity & Sorority Life - Top 10 Greek Award – 2017
- Chi Phi National Ramsaur Leadership Scholarship – 2015
- Florida Senate Page Program, Tallahassee, FL – nominated by former Senator Stephen Wise – 2011

REFERENCES:

- Aaron Bean, 904-753-0517
  FL Senate President Pro Tempore
- Jennifer Green, 850-528-8809
  President of Liberty Partners

WORK HISTORY

Legislative Aide, Senate President Pro Tempore Aaron Bean
Jacksonville, Florida • November 2019 - Present

- Handle legislation, stakeholder meetings, and amendments for President Pro Tempore across all policy areas
- Research bills and potential legislation
- Meet with constituents, lobbyists, and community leaders on Senator's behalf
- Write talking points and briefs
- Manage constituent inquiries, attend events on Senator's behalf, and occasionally speak at events
- Supervise office and manage all interns
- Organize and administer Session traditions, gifts and programming

Government Relations Assistant, Legislative Intern
Liberty Partners of Tallahassee, LLC
Tallahassee, Florida • January – November 2019

- Attended committee/cabinet meetings and converted notes into briefings for clients and firm lobbyists
- Handled projects to discover new clientele opportunities and assist with advocacy efforts
- Assisted with LFIR data entry
- Volunteered to work on school holidays and adapted to irregular work schedule

AMERICAN OVERSIGHT

Henry Reed Mahler III

1701 1st Street N. Jacksonville Beach, FL 32250 | (352)509-0770 | Henrymahler3@gmail.com

WORK EXPERIENCE

FLORIDA SENATE, PRESIDENT PRO TEMPORE AARON BEAN, DISTRICT 4 — Jacksonville/Tallahassee, FL
Legislative Assistant — Mar 2021 – Present

- Worked bills, amendments, proclamations, resolutions and memorials through the legislative process
- Reviewed and tracked legislation that was of interest to constituents in our district
- Conducted research and gathered information for bills, speeches and legislative updates
- Tracked appropriations and member projects
- Staffed the Senator at meetings and events, or attended as a representative on his behalf
- Worked with state agencies and departments on constituent resolution
- Managed and trained all of the office interns and handled multiple administrative duties and special projects
- Constructed official, support and constituent letters for the office

JOE HARDING FOR STATE REPRESENTATIVE, DISTRICT 22 — Ocala, FL
Campaign Manager — Jun 2020 – Nov 2020

- Recruited and trained individuals in grassroots campaign tactics which lead to a 29 point victory in the general election
- Organized multiple successful events (i.e. fundraisers, rallies, meetings)
- Deployed across the state of Florida to help targeted campaigns on behalf of Representative Harding
- Cut and constructed multiple walk lists for door to door canvasing (webElect)

GREENBERG TRAURIG, LLP. — Tallahassee, FL
Legislative Assistant — Jan 2020 – Apr 2020

- Analyzed bills, committee meetings and legislative actions for senior lobbyists
- Compiled pertinent information on unique legislation for specific clients
- Wrote detailed reports and managed weekly schedules

FLORIDA OSTEOPATHIC MEDICAL ASSOCIATION — Tallahassee, FL
Government Affairs Intern — Aug 2019 – Dec 2019

- Interpreted legislation and provided thorough bill summaries
- Tracked bills through committees via LobbyTools
- Analyzed meetings with State Representatives and Senators

EDUCATION

FLORIDA STATE UNIVERSITY — Tallahassee, FL
Master of Science in Applied American Politics & Policy — Aug 2018 - Dec 2019
GPA: 3.917

FLORIDA STATE UNIVERSITY — Tallahassee, FL
Bachelor of Science in Political Science & Economics — Aug 2014 - May 2018
Minor: Business
GPA: 3.663, Cum Laude

AWARDS & ACKNOWLEDGMENTS

- Florida Osteopathic Medical Association Certificate of Appreciation
- Recipient of the James R. Hoffa Memorial Scholarship
- Florida Academic Scholars Award
- Florida State University Dean's List (2014, 2015, 2016, 2017)

SKILLS

- Experienced with Session Organizer and Leagis
- Proficient in LobbyTools
- Construction of lobbying and campaign strategies
- Skilled in Microsoft Word, Microsoft PowerPoint and Microsoft Excel
- Data Analysis (i.e. Gretl)

AMERICAN OVERSIGHT

From: Sweeney, Karen
To: Kopelousos, Stephanie; Strickland, Katie
Subject: Special Event
Date: Thursday, March 10, 2022 4:54:54 PM

Good Afternoon,
I know that Ann Bolduc in our office reached out earlier in the week regarding the ask to have First Lady DeSantis record a welcome to the Youth of the Year event like she did last year. Youths across the state were thrilled to see her welcome video and Boys and Girls Clubs have asked our office again to see if she and Governor DeSantis would be willing to pre-record the welcome message to the students. It would be 3 to 5 minutes, longer if she or they both would like.
They have called me again as they need to find someone else if the First Lady and Governor are not able to do the video. I do not mean to put pressure on but they cannot wait too long to ask others.
I have attached the flyer of the event and would so appreciate and answer as soon as possible.

Thank you so much for assisting with this special request. Take care and have a great evening,

Karen Sweeney

SENIOR LEGISLATIVE AIDE TO
SENATOR GAYLE HARRELL, DISTRICT 25
DISTRICT OFFICE PHONE ~ 772.221.4019
TALLAHASSEE OFFICE PHONE ~ 850.487.5025

AMERICAN OVERSIGHT

From: Sweeney, Karen
To: Kopelousos, Stephanie; Strickland, Katie
Subject: Special Event
Date: Thursday, March 10, 2022 4:54:54 PM

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Karen Sweeney
SENIOR LEGISLATIVE AIDE TO
SENATOR GAYLE HARRELL, DISTRICT 25
DISTRICT OFFICE PHONE ~ 772.221.4019
TALLAHASSEE OFFICE PHONE ~ 850.487.5025

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Vickers, Mary Beth
Cc: Alexander, Dee; Kopelousos, Stephanie
Subject: Support letter
Date: Monday, March 14, 2022 11:41:42 AM
Attachments: Governor Ron DeSantis.docx

Forwarding at Senator Beans request.

Dee Alexander | Sr. Chief Legislative Aide
Senator Aaron Bean | Florida Senate 4th District
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

Governor Ron DeSantis
State of Florida
The Capital, 400 S. Monroe St.
Tallahassee, Fl 32399

Dear Governor DeSantis:

Listed below is a description of a very worthwhile project in the 2022 -23 budget. This project was supported by both Representative Clay Yarborough and Senator Aaron Bean. It is located in Section 3, (Human Services), line 372 (Special Categories, Grants and Aids and Contracted Services from the General Revenue Fund). It is titled Public School Telehealth and Mental Health Services (Senate Form 1591).

PROJECT MISSION:
ESE's primary mission is to reduce public school absenteeism by providing in-school primary medical care and mental health counseling. An additional benefit is that ESE Telehealth clinics in the schools will allow parents and guardians to remain at work or at home rather than having to remove their child from school for a medical or counseling appointment.

PROJECT DESCRIPTION:
ESE TELEHEALTH will establish primary care telehealth and mental health counseling clinics in 20 Northeast Florida K-12 public school nurse's stations. Each station will be staffed with an RN, LPN or MA. ESE will provide a full complement of hardware, software and medical instruments and will also provide training for school personnel.

The approved budget request is for $250,000. ESE will have a MATCHING VESTED INTEREST in this project by providing $250,000 in matching funds.

ESE respectfully urges your support of this budget item.

Bobby Hulslander , ESE Florida

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: Your drafts
Date: Wednesday, December 15, 2021 5:27:10 PM
Attachments: Gov.State Attorney.billdraft86075.docx
Gov.Fuel Tax Holiday.billdraft86083.docx
Gov.Transparency.billdraft86108.docx
Gov.Abortion Option 1.billdraft86152.docx
Gov.Ransom.billdraft86110.docx
Gov.Law Enforcement.billdraft86106.docx
Fuel Tax Holiday - with drafters comments.docx

Stephanie---

1) Here are 6 of your 8 drafts that are currently 'released for approval'.

2) The attached 'Abortion Option 1' draft has the following comments from the drafter:
Oaj Gilani: (12/3/2021 12:29 PM):
Hi Dee,
I wanted to explain the changes I made in drafting this bill. The attachment wanted to make amendments to subsection (2) of s. 391.0111, F.S., but that subsection deals solely with the requirement that only a physician may perform an abortion. If we want to create a prohibition on abortions after 15 gestational weeks unless the medical emergency exemptions apply, then I would suggest making those revisions directly to the related provisions in ss. 390.0111 and 390.01112, F.S., as I've done in the draft. If I misunderstood and the requester had something else in mind, let me know and we can work on a redraft together.

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Oaj

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NOTE: attached is both the clean draft AND the draft with all of the drafters comments by each edit.

4) Both the DBPR/Condo Language draft and the K-12 Education Standards draft are still being drafted.

Total of 8 items.
If there are any questions or changes you want to make, please let me know.

Finally, an important date to remember:

AMERICAN OVERSIGHT

Deadlines for Senate Bill Drafting are fast approaching for the 2022 Regular Session.
Friday, January 7, 2022 – deadline for approving final drafts of general bills and joint resolutions, including companion bills

Merry Christmas

Dee Alexander | Sr. Chief Legislative Aide
Office of Senator Aaron Bean
President Pro Tempore
Main 904.757.5039 Jacksonville
Main 850.487.5004 Capitol

AMERICAN OVERSIGHT

4-01445-22

A bill to be entitled

An act relating to duties of state attorneys; amending s. 27.14, F.S.; providing that a state attorney's neglect of duty may serve as a basis for an investigation, a case, or a matter to be reassigned to another judicial circuit; creating s. 112.39, F.S.; requiring state attorneys to exercise prosecutorial discretion on a case-specific basis in a specified manner; requiring the state attorney to provide written information, upon the Governor's request, detailing the basis for the disposition resulting from exercising prosecutorial discretion; providing that adopting a blanket non-prosecution policy is evidence of failure to exercise prosecutorial discretion; specifying the actions by a state attorney which constitute neglect of duty for purposes relating to executive suspensions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 27.14, Florida Statutes, is amended to read:

27.14 Assigning state attorneys to other circuits.—

(1) If any state attorney is disqualified to represent the state in any investigation, case, or matter pending in the courts of his or her circuit or if, for any other good and sufficient reason, <u>including, but not limited to, the neglect of duty of such state attorney,</u> the Governor determines that the ends of justice would be best served, the Governor may, by

AMERICAN OVERSIGHT

FL GOV 22-0226 20-0378A-002992

executive order filed with the Department of State, either order an exchange of circuits or of courts between such state attorney and any other state attorney or order an assignment of any state attorney to discharge the duties of the state attorney with respect to one or more specified investigations, cases, or matters, specified in general in the executive order of the Governor. Any exchange or assignment of any state attorney to a particular circuit shall expire 12 months after the date of issuance, unless an extension is approved by order of the Supreme Court upon application of the Governor showing good and sufficient cause to extend such exchange or assignment.

Section 2. Section 112.39, Florida Statutes, is created to read:

112.39 Suspension of state attorneys for neglect of duty.—It is the duty of the state attorney to exercise prosecutorial discretion by making, or directing his or her subordinates to make, case-specific determinations as to whether the facts of each case in the judicial circuit justify prosecution and, upon request of the Governor, to promptly provide a statement detailing the basis for the disposition of a case when an arrest was made and prosecution was not sought or to provide information in writing upon any subject relating to the lawful execution of that duty. The adoption of a blanket policy of non-prosecution of any type of case, including, but not limited to, the penalty phase of death penalty-eligible cases, constitutes evidence of a failure to exercise prosecutorial discretion. A state attorney may be suspended from office by the Governor for neglect of duty, including, but not limited to, the state attorney's failure to exercise prosecutorial discretion by

AMERICAN OVERSIGHT

FL-GOV-22-0226_20-0378A-002993

failing to make, or failing to direct his or her subordinates to make, a case-specific determination as to whether the facts of each case in the judicial circuit justify prosecution as stated herein, or the state attorney's failure, upon request of the Governor, to fully, adequately, and promptly explain in writing any such determination.

Section 3. This act shall take effect July 1, 2022.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-002994

4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. <u>This act may be cited as the "Florida Motor Fuel</u>

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-002995

Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

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FL_GOV_22-0226_20-0378A-002996

of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

AMERICAN OVERSIGHT

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

AMERICAN OVERSIGHT

crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

AMERICAN OVERSIGHT

4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

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(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

AMERICAN OVERSIGHT

FL_GOV_22-0226_20-0378A-003002

4-01478-22

A bill to be entitled

An act relating to prescription price transparency; amending s. 408.062, F.S.; increasing the number of frequently prescribed medicines that the Agency for Health Care Administration must sample in its monthly analysis of retail prices for prescription medicines in this state; specifying the frequency with which the agency must publish specified price data from such analyses on its website; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (h) of subsection (1) of section 408.062, Florida Statutes, is amended to read:

408.062 Research, analyses, studies, and reports.—

(1) The agency shall conduct research, analyses, and studies relating to health care costs and access to and quality of health care services as access and quality are affected by changes in health care costs. Such research, analyses, and studies shall include, but not be limited to:

(h) The collection of a statistically valid sample of data on the retail prices charged by pharmacies for the 500 ~~300~~ most frequently prescribed medicines from any pharmacy licensed by this state. If the drug is available generically, price data must ~~shall~~ be reported for the generic drug and ~~price data of~~ a brand-named drug for which the generic drug is the equivalent ~~shall be reported~~. The agency shall publish this information quarterly ~~make available~~ on its Internet website for each pharmacy drug prices for a 30-day supply at a standard dose. The

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data collected must ~~shall~~ be reported for each drug by pharmacy and by metropolitan statistical area or region and updated monthly.

Section 2. This act shall take effect July 1, 2022.

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4-01522-22

A bill to be entitled

An act relating to abortion; amending s. 390.011, F.S.; defining the term "gestational age"; amending s. 390.0111, F.S.; revising the timeframe in which an abortion may be performed without certain exceptions; amending s. 390.01112, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (7) through (13) of section 390.011, Florida Statutes, are redesignated as subsections (8) through (14), respectively, and a new subsection (7) is added to that section, to read:

390.011 Definitions.—As used in this chapter, the term:

(7) "Gestational age" means the actual or probable amount of time that has elapsed from the first day of the last menstrual period of the pregnant woman.

Section 2. Subsections (1) and (4) of section 390.0111, Florida Statutes, are amended to read:

390.0111 Termination of pregnancies.—

(1) TERMINATION AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~; WHEN ALLOWED.—A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being after the gestational age of the fetus has reached 15 weeks ~~in the third trimester of pregnancy~~ unless one of the following conditions is met:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of

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substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition.

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(4) STANDARD OF MEDICAL CARE TO BE USED AFTER 15 GESTATIONAL WEEKS ~~IN THIRD TRIMESTER~~.—If a termination of pregnancy is performed after the gestational age of the fetus has reached 15 weeks ~~in the third trimester~~, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus which the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the pregnant woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 3. Section 390.01112, Florida Statutes, is amended to read:

390.01112 Termination of pregnancies during viability.—

(1) A ~~No~~ termination of pregnancy may not ~~shall~~ be performed on any human being if the physician determines that,

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in reasonable medical judgment, the fetus has achieved viability or reached a gestational age of 15 weeks, whichever occurs earlier, unless:

(a) Two physicians certify in writing that, in reasonable medical judgment, the termination of the pregnancy is necessary to save the pregnant woman's life or avert a serious risk of substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition; or

(b) The physician certifies in writing that, in reasonable medical judgment, there is a medical necessity for legitimate emergency medical procedures for termination of the pregnancy to save the pregnant woman's life or avert a serious risk of imminent substantial and irreversible physical impairment of a major bodily function of the pregnant woman other than a psychological condition, and another physician is not available for consultation.

(2) Before performing a termination of pregnancy, a physician must determine if the fetus is viable or has reached a gestational age of 15 weeks by, at a minimum, performing a medical examination of the pregnant woman and, to the maximum extent possible through reasonably available tests and the ultrasound required under s. 390.0111(3), an examination of the fetus. The physician must document in the pregnant woman's medical file the physician's determinations ~~determination~~ and the method, equipment, fetal measurements, and any other information used to determine the viability and gestational age of the fetus.

(3) If a termination of pregnancy is performed during

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viability or after the fetus has reached a gestational age of 15 weeks, the physician performing the termination of pregnancy must exercise the same degree of professional skill, care, and diligence to preserve the life and health of the fetus that the physician would be required to exercise in order to preserve the life and health of a fetus intended to be born and not aborted. However, if preserving the life and health of the fetus conflicts with preserving the life and health of the woman, the physician must consider preserving the woman's life and health the overriding and superior concern.

Section 4. This act shall take effect July 1, 2022.

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FL_GOV_22-0226_20-0378A-003008

4-01480-22

A bill to be entitled

An act relating to computer-related crimes; amending s. 815.03, F.S.; defining the terms "public entity" and "public funds"; amending s. 815.06, F.S.; requiring public entities to report to the Department of Law Enforcement and the Florida Digital Service specified computer-related crimes within a specified timeframe after a violation is discovered; prohibiting a public entity or a business entity acting on behalf of a public entity from using public funds to pay a ransom to individuals or groups that commit specified offenses; providing exceptions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (13) and (14) are added to section 815.03, Florida Statutes, to read:

815.03 Definitions.—As used in this chapter, unless the context clearly indicates otherwise:

(13) "Public entity" has the same meaning as in s. 287.133.

(14) "Public funds" means all moneys under the jurisdiction or control of a public entity.

Section 2. Subsections (10) and (11) are added to section 815.06, Florida Statutes, to read:

815.06 Offenses against users of computers, computer systems, computer networks, and electronic devices.—

(10) A public entity that is the victim of a computer-related crime in violation of this chapter shall notify the

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Department of Law Enforcement and the Florida Digital Service within 24 hours after a violation is discovered.

(11) A public entity or a business entity acting on behalf of a public entity may not use public funds to pay or have another entity pay on the public entity's behalf a ransom to an individual or a group that has committed a computer-related crime in violation of this chapter, unless the Governor or his designee approves a payment based upon his or her determination that the payment is necessary to:

(a) Prevent an imminent threat of public health and safety;

(b) Reestablish critical services after the exhaustion of all other reasonably available remedies; or

(c) Prevent the disruption of a specific law enforcement investigation.

Section 3. This act shall take effect July 1, 2022.

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4-01476-22

A bill to be entitled

An act relating to criminal offenses; amending s. 784.049, F.S.; revising the definition of the term "sexually cyberharass"; amending s. 787.07, F.S.; providing enhanced criminal penalties if great bodily harm, permanent disability, or permanent disfigurement is caused to another person during the commission of a specified offense; providing requirements for the Criminal Justice Standards and Training Commission regarding training and establishing standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section 784.049, Florida Statutes, is amended, and subsection (3) of that section is republished, to read:

784.049 Sexual cyberharassment.—

(2) As used in this section, the term:

(c) "Sexually cyberharass" means to publish to a social networking service or an Internet website, including to an electronic application or Internet mailing platform, or to disseminate through electronic means to another person a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person without the depicted person's consent, contrary to the depicted

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person's reasonable expectation that the image would remain private, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person. Evidence that the depicted person sent a sexually explicit image to another person does not, on its own, remove his or her reasonable expectation of privacy for that image.

(3)(a) Except as provided in paragraph (b), a person who willfully and maliciously sexually cyberharasses another person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who has one prior conviction for sexual cyberharassment and who commits a second or subsequent sexual cyberharassment commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 787.07, Florida Statutes, is amended to read:

787.07 Human smuggling.—

(1)(a) Except as provided in paragraph (b), a person who transports into this state an individual who the person knows, or should know, is illegally entering the United States from another country commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person who violates paragraph (a) and in the commission of such offense causes great bodily harm, permanent disability, or permanent disfigurement to another person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual he or she transports into this state in violation of paragraph

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(1)(a) ~~this section~~.

(3) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human smuggling crimes. Every basic skills course required for law enforcement officers to obtain initial certification must include training on human smuggling crime prevention and investigation.

Section 3. This act shall take effect October 1, 2022.

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4-01453-22

A bill to be entitled

An act relating to taxation; providing a short title; providing for reductions in motor fuel taxes for a specified time period; requiring licensed terminal suppliers, wholesalers, and importers of motor fuel to charge and collect the reduced tax rate; providing legislative intent; authorizing the Attorney General to investigate certain violations; providing for a reduction in certain refunds for the same period; authorizing the Department of Revenue to adopt emergency rules; prohibiting certain entities from retaining or interfering with tax reductions; providing criminal penalties; amending s. 16.56, F.S.; adding specified violations under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; adding specified felonies under provisions prohibiting certain persons from holding certain licenses; amending s. 206.404, F.S.; providing for revocation of certain licenses for specified violations; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; providing for an appropriation; authorizing specified nonoperating transfers from the General Revenue Fund to certain trust funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Florida Motor Fuel

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Tax Relief Act of 2022."

Section 2. Beginning at 12:01 a.m. on October 1, 2022, through 11:59 p.m. on October 31, 2022, the tax levied pursuant to s. 206.41(1)(b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s. 206.41(1)(f), Florida Statutes, shall be reduced by 8 cents per gallon, and the tax levied pursuant to s. 206.41(1)(g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the rate of tax as provided herein on sales of motor fuel to retail dealers located in this state.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 of this act shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The Department of Revenue may adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other law, the emergency rules adopted pursuant to this section shall remain in effect for 6 months after the date of adoption of the rules.

Section 6. A terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel may not retain any part

Commented [SS1]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS2]: Requester: since this is already 1 cent, should we say that this tax is suspended instead of reduced?

Commented [SS3]: Requester: Subparagraph 206.41(1)(g)1. says that " the tax rate shall not be lower than 6.9 cents per gallon". This will contradict that statute. An potential fix would be to add a "notwithstanding" clause.

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of the tax reduction set forth in this act or interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

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6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. Any crime involving voter registration, voting, or candidate or issue petition activities;

14. Any criminal violation of the Florida Money Laundering Act;

15. Any criminal violation of the Florida Securities and Investor Protection Act;

16. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; ~~or~~

17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849; or

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022;

or any attempt, solicitation, or conspiracy to commit any of the

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crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.—

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a)1. The licenseholder.

2. The sole proprietor of the licenseholder.

3. A corporate officer or director of the licenseholder.

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4. A general or limited partner of the licenseholder.

5. A trustee of the licenseholder.

6. A member of an unincorporated association licenseholder.

7. A joint venturer of the licenseholder.

8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.

9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b)1. A felony in this state.

2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.

3. Any felony under the laws of the United States.

4. A felony under the Florida Motor Fuel Tax Relief Act of 2004.

5. A felony under the Florida Motor Fuel Tax Relief Act of 2022.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:

206.404 License requirements for retail dealers and resellers; penalty.—

(3) Any retail dealer or reseller in violation of ~~the provisions of~~ this chapter, ~~or the provisions of~~ the Florida Motor Fuel Tax Relief Act of 2004, or the Florida Motor Fuel Tax Relief Act of 2022 is ~~shall be~~ subject to revocation of his or her license under chapter 212.

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FL-GOV-22-0226, 20-0378-A-003019

Section 10. To accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer's option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during October 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; however, the retail dealer must show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. For the 2022-2023 fiscal year, the sum of $300,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for the purpose of developing and implementing a public awareness campaign for and administering this act.

Section 12. For the 2022-2023 fiscal year, the following nonoperating transfers are authorized:

(1) The sum of $135 million may be transferred from the General Revenue Fund into the State Transportation Trust Fund.

(2) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60.

(3) The sum of $9 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.605.

Commented [SS4]: Requester: Should this be a requirement instead of authorization? (i.e., "funds shall be transferred" instead of "transfers are authorized"?)

It looks like the GAA usually refers to funds being "transferred using nonoperating budget authority". I would suggest rephrasing this to align with that.

Would it be sufficient to say instead that the funds are appropriated from GR to the TF's?

Commented [SS5]: Requester: is there another Fuel Tax Collection Trust Fund such that this must be distinguished as the one maintained by the State Treasury?

Commented [SS6]: Requester: same

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FL-GOV-22-0226, 20-0378-A-003020

(4) The sum of $72 million may be transferred from the General Revenue Fund into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608.

Section 13. This act shall take effect upon becoming a law.

Commented [SS7]: Requester: same

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FL-GOV-22-0226, 20-0378-A-003021

From: Alexander, Dee
To: Kopelousos, Stephanie
Cc: Alexander, Dee
Subject: Your last 2 drafts
Date: Friday, January 7, 2022 9:37:58 AM
Attachments: image001.png
Gov Condo DRAFT.billdraft86113.docx
Gov K-12 Education Draft.billdraft86109.docx

I just realized I originally sent you 6 of the 8 drafts.
Attached are the final 2 for your review.

Dee Alexander | Sr. Chief Legislative Aide
President Pro Tempore Aaron Bean | Florida Senate 4th District
13453 North Main Street, Suite 301
Duval Station | Jacksonville FL 32218
Main 904.757.5039 | Fax 1-888.263.1578
404-SOB | 404 S. Monroe St. | Tallahassee FL 32399-1100
Main 850.487.5004 | Fax 1-888-263-1578
alexander.dee@flsenate.gov | www.flsenate.gov

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SENATE
STATE OF FLORIDA
AMERICAN
OVERSIGHT

4-01483-22

A bill to be entitled

An act relating to condominium associations; amending s. 718.103, F.S.; revising the definitions of the terms "common elements" and "unit"; amending s. 718.111, F.S.; revising the types of records that constitute an association's official records; requiring that official records be maintained in a specified manner and format; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation to adopt rules; requiring associations to provide itemized lists and sworn affidavits to persons requesting to inspect records; requiring associations to maintain the itemized lists for a specified period of time; revising records that associations must post on association websites or make available through specified applications by a specified date; requiring associations to upload a copy of their most recent financial statement and adopted budget to the division's website within a certain timeframe; requiring the division to maintain the documents for a specified time and to make the documents searchable; amending s. 718.501, F.S.; defining the term "financial issue"; authorizing the division to adopt rules for a certain purpose; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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FL_GOV_22-0226_20-0378A-003024

Section 1. Subsections (8) and (27) of section 718.103, Florida Statutes, are amended to read:

718.103 Definitions.—As used in this chapter, the term:

(8) "Common elements" means the portions of the condominium property not included in the units which is jointly owned by all the unit owners, including, but not limited to, stairways, elevators, hallways, swimming pools, and any other physical space customarily used by all the unit owners in a condominium or any other space determined to be a common element by rules adopted by the division.

(27) "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration. The term does not include a part of the condominium property which is customarily used by all of the unit owners in a condominium, including, but not limited to, stairways, elevators, hallways, swimming pools, or any other space determined to be customarily used by all of the unit owners in a condominium by rules adopted by the division.

Section 2. Paragraphs (a), (b), (c), and (g) of subsection (12) of section 718.111, Florida Statutes, are amended, and paragraph (f) is added to subsection (13) of that section, to read:

718.111 The association.—

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other

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items provided by the developer under s. 718.301(4).

2. A photocopy of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A photocopy of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books that contain the minutes of all meetings of the association, the board of administration, and the unit owners.

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. The e-mail addresses and facsimile numbers are not accessible to unit owners if consent to receive notice by electronic transmission is not provided in accordance with sub-subparagraph (c)3.e. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or

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responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures.

b. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

c. All audits, reviews, accounting statements, and financial reports of the association or condominium.

d. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association for at least 1 year after receipt of the bid.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

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13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection report as described in s. 718.301(4)(p).

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgments made pursuant to s. 718.121(4)(c).

18. Checklists and sworn affidavits executed in response to a unit owner's request for access to records pursuant to paragraph (c).

19. A copy of any structural or engineering inspection report completed on or after July 1, 2022.

20. All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(b) The official records specified in subparagraphs (a)1.-6. must be permanently maintained from the inception of the association. Bids for work to be performed or for materials, equipment, or services must be maintained for at least 1 year after receipt of the bid. All other official records must be maintained within the state for at least 7 years, unless otherwise provided by general law. The official records must be maintained in a manner and format prescribed by division rule which make the records easily accessible for inspection. The division shall adopt rules to ensure records are maintained in such manner and format. The records of the association shall be made available to a unit owner within 45 miles of the

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condominium property or within the county in which the condominium property is located within 10 working days after receipt of a written request by the board or its designee. However, such distance requirement does not apply to an association governing a timeshare condominium. This paragraph may be complied with by having a copy of the official records of the association available for inspection or copying on the condominium property or association property, or the association may offer the option of making the records available to a unit owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. The association is not responsible for the use or misuse of the information provided to an association member or his or her authorized representative in compliance with this chapter unless the association has an affirmative duty not to disclose such information under this chapter.

(c)1.a. The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member or authorized representative of such member. A renter of a unit has a right to inspect and copy only the declaration of condominium and the association's bylaws and rules. The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of record inspections and copying but may not require a member to demonstrate any purpose or state any reason for the inspection. The failure of an association to provide the records within 10 working days after receipt of a written

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request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records.

b. In response to a statutorily compliant written request to inspect records, the association must simultaneously provide an itemized list to the requestor of all records made available for inspection and copying and a sworn affidavit in which the person facilitating or handling the association's compliance with the request attests to the veracity of the itemized list provided to the requestor. The itemized list must also identify any of the association's official records that were not made available to the requestor. An association must maintain an itemized list provided under this sub-subparagraph for 7 years.

2. Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

3. The association shall maintain an adequate number of

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copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and year-end financial information required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a

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unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the

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association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgments made pursuant to s. 718.121(4)(c).

(g)1. By January 1, 2023 ~~2019~~, an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of the association's official records specified in paragraph (a) ~~the documents specified in subparagraph 2.~~ on its website or make such documents available through an application that can be downloaded on a mobile device.

a. The association's website or application must be:

(I) An independent website, application, or web portal wholly owned and operated by the association; or

(II) A website, application, or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, collection of subpages or web portals, or an application which is dedicated to the association's activities and on which required notices, records, and documents may be posted or made available by the association.

b. The association's website or application must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is

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inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website or application which contain any notices, records, or documents that must be electronically provided.

2. ~~A current copy of the following documents must be posted in digital format on the association's website or application:~~

~~a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.~~

~~b. The recorded bylaws of the association and each amendment to the bylaws.~~

~~c. The articles of incorporation of the association, or other documents creating the association, and each amendment to the articles of incorporation or other documents. The copy posted pursuant to this sub-subparagraph must be a copy of the articles of incorporation filed with the Department of State.~~

~~d. The rules of the association.~~

~~e. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website or application for 1 year. In lieu of summaries, complete copies of the bids may be posted.~~

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~~f. The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.~~

~~g. The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.~~

~~h. The certification of each director required by s. 718.112(2)(d)4.b.~~

~~i. All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.~~

~~j. Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.436(2)(b)6. and 718.3027(3).~~

~~k. The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website or application, or on a separate subpage of the website or application labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website or application any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.~~

~~l. Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date~~

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~~required for notice under s. 718.112(2)(c).~~

~~3.~~ The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website or application. If protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website or application, the association shall ensure the information is redacted before posting the documents. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted under this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

3.~~4.~~ The failure of the association to post information required under subparagraph 1. ~~subparagraph 2.~~ is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than 120 days after the end of the fiscal year or other date as provided in the bylaws, the association shall mail to each unit owner at the address last furnished to the association by the unit owner, or hand deliver to each unit owner, a copy of the most recent financial report

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or a notice that a copy of the most recent financial report will be mailed or hand delivered to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(f) Beginning July 1, 2023, an association must upload a copy of the association's most recent financial statement and adopted budget to the division's website within 30 days after the date the financial statement and adopted budget are due under the governing documents of the association, or, if the governing documents do not specify a due date, within 30 days after the start of the association's fiscal year. The division shall maintain financial statements and adopted budgets uploaded to its website for 3 years and, by July 1, 2023, must make the uploaded documents available to the public and searchable by association name and fiscal year.

Section 3. Subsection (1) of section 718.501, Florida Statutes, is amended to read:

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718.501 Authority, responsibility, and duties of Division of Florida Condominiums, Timeshares, and Mobile Homes.—

(1) The division may enforce and ensure compliance with this chapter and rules relating to the development, construction, sale, lease, ownership, operation, and management of residential condominium units. In performing its duties, the division has complete jurisdiction to investigate complaints and enforce compliance with respect to associations that are still under developer control or the control of a bulk assignee or bulk buyer pursuant to part VII of this chapter and complaints against developers, bulk assignees, or bulk buyers involving improper turnover or failure to turnover, pursuant to s. 718.301. However, after turnover has occurred, the division has jurisdiction to investigate complaints related only to financial issues, elections, and the maintenance of and unit owner access to association records under s. 718.111(12). For the purposes of this subsection, the term "financial issue" means issues related to operating budgets; reserve schedules; accounting records under s. 718.111(12)(a)11.; notices of meetings and meeting minutes for budget or financial statement-related meetings; any assessments for common expenses, fees, or fines; commingling of funds; and any other records necessary to determine the revenues and expenses of the association. The division may adopt rules to further specify what is included within the meaning of the term.

(a)1. The division may make necessary public or private investigations within or outside this state to determine whether any person has violated this chapter or any rule or order hereunder, to aid in the enforcement of this chapter, or to aid in the adoption of rules or forms.

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2. The division may submit any official written report, worksheet, or other related paper, or a duly certified copy thereof, compiled, prepared, drafted, or otherwise made by and duly authenticated by a financial examiner or analyst to be admitted as competent evidence in any hearing in which the financial examiner or analyst is available for cross-examination and attests under oath that such documents were prepared as a result of an examination or inspection conducted pursuant to this chapter.

(b) The division may require or permit any person to file a statement in writing, under oath or otherwise, as the division determines, as to the facts and circumstances concerning a matter to be investigated.

(c) For the purpose of any investigation under this chapter, the division director or any officer or employee designated by the division director may administer oaths or affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of material evidence. Upon the failure by a person to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all affected persons, the division may apply to the circuit court for an order compelling compliance.

(d) Notwithstanding any remedies available to unit owners

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and associations, if the division has reasonable cause to believe that a violation of any provision of this chapter or related rule has occurred, the division may institute enforcement proceedings in its own name against any developer, bulk assignee, bulk buyer, association, officer, or member of the board of administration, or its assignees or agents, as follows:

1. The division may permit a person whose conduct or actions may be under investigation to waive formal proceedings and enter into a consent proceeding whereby orders, rules, or letters of censure or warning, whether formal or informal, may be entered against the person.

2. The division may issue an order requiring the developer, bulk assignee, bulk buyer, association, developer-designated officer, or developer-designated member of the board of administration, developer-designated assignees or agents, bulk assignee-designated assignees or agents, bulk buyer-designated assignees or agents, community association manager, or community association management firm to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the division carry out the purposes of this chapter. If the division finds that a developer, bulk assignee, bulk buyer, association, officer, or member of the board of administration, or its assignees or agents, is violating or is about to violate any provision of this chapter, any rule adopted or order issued by the division, or any written agreement entered into with the division, and presents an immediate danger to the public requiring an immediate final order, it may issue an emergency cease and desist order reciting with particularity

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the facts underlying such findings. The emergency cease and desist order is effective for 90 days. If the division begins nonemergency cease and desist proceedings, the emergency cease and desist order remains effective until the conclusion of the proceedings under ss. 120.569 and 120.57.

3. If a developer, bulk assignee, or bulk buyer fails to pay any restitution determined by the division to be owed, plus any accrued interest at the highest rate permitted by law, within 30 days after expiration of any appellate time period of a final order requiring payment of restitution or the conclusion of any appeal thereof, whichever is later, the division must bring an action in circuit or county court on behalf of any association, class of unit owners, lessees, or purchasers for restitution, declaratory relief, injunctive relief, or any other available remedy. The division may also temporarily revoke its acceptance of the filing for the developer to which the restitution relates until payment of restitution is made.

4. The division may petition the court for appointment of a receiver or conservator. If appointed, the receiver or conservator may take action to implement the court order to ensure the performance of the order and to remedy any breach thereof. In addition to all other means provided by law for the enforcement of an injunction or temporary restraining order, the circuit court may impound or sequester the property of a party defendant, including books, papers, documents, and related records, and allow the examination and use of the property by the division and a court-appointed receiver or conservator.

5. The division may apply to the circuit court for an order of restitution whereby the defendant in an action brought under

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subparagraph 4. is ordered to make restitution of those sums shown by the division to have been obtained by the defendant in violation of this chapter. At the option of the court, such restitution is payable to the conservator or receiver appointed under subparagraph 4. or directly to the persons whose funds or assets were obtained in violation of this chapter.

6. The division may impose a civil penalty against a developer, bulk assignee, or bulk buyer, or association, or its assignee or agent, for any violation of this chapter or related rule. The division may impose a civil penalty individually against an officer or board member who willfully and knowingly violates this chapter, an adopted rule, or a final order of the division; may order the removal of such individual as an officer or from the board of administration or as an officer of the association; and may prohibit such individual from serving as an officer or on the board of a community association for a period of time. The term "willfully and knowingly" means that the division informed the officer or board member that his or her action or intended action violates this chapter, a rule adopted under this chapter, or a final order of the division and that the officer or board member refused to comply with the requirements of this chapter, a rule adopted under this chapter, or a final order of the division. The division, before initiating formal agency action under chapter 120, must afford the officer or board member an opportunity to voluntarily comply, and an officer or board member who complies within 10 days is not subject to a civil penalty. A penalty may be imposed on the basis of each day of continuing violation, but the penalty for any offense may not exceed $5,000. The division

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shall adopt, by rule, penalty guidelines applicable to possible violations or to categories of violations of this chapter or rules adopted by the division. The guidelines must specify a meaningful range of civil penalties for each such violation of the statute and rules and must be based upon the harm caused by the violation, the repetition of the violation, and upon such other factors deemed relevant by the division. For example, the division may consider whether the violations were committed by a developer, bulk assignee, or bulk buyer, or owner-controlled association, the size of the association, and other factors. The guidelines must designate the possible mitigating or aggravating circumstances that justify a departure from the range of penalties provided by the rules. It is the legislative intent that minor violations be distinguished from those which endanger the health, safety, or welfare of the condominium residents or other persons and that such guidelines provide reasonable and meaningful notice to the public of likely penalties that may be imposed for proscribed conduct. This subsection does not limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, agreed settlement, or consent order. All amounts collected shall be deposited with the Chief Financial Officer to the credit of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. If a developer, bulk assignee, or bulk buyer fails to pay the civil penalty and the amount deemed to be owed to the association, the division shall issue an order directing that such developer, bulk assignee, or bulk buyer cease and desist from further operation until such time as the civil penalty is paid or may pursue enforcement of the penalty in a court of

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competent jurisdiction. If an association fails to pay the civil penalty, the division shall pursue enforcement in a court of competent jurisdiction, and the order imposing the civil penalty or the cease and desist order is not effective until 20 days after the date of such order. Any action commenced by the division shall be brought in the county in which the division has its executive offices or in the county where the violation occurred.

7. If a unit owner presents the division with proof that the unit owner has requested access to official records in writing by certified mail, and that after 10 days the unit owner again made the same request for access to official records in writing by certified mail, and that more than 10 days has elapsed since the second request and the association has still failed or refused to provide access to official records as required by this chapter, the division shall issue a subpoena requiring production of the requested records where the records are kept pursuant to s. 718.112.

8. In addition to subparagraph 6., the division may seek the imposition of a civil penalty through the circuit court for any violation for which the division may issue a notice to show cause under paragraph (r). The civil penalty shall be at least $500 but no more than $5,000 for each violation. The court may also award to the prevailing party court costs and reasonable attorney fees and, if the division prevails, may also award reasonable costs of investigation.

(e) The division may prepare and disseminate a prospectus and other information to assist prospective owners, purchasers, lessees, and developers of residential condominiums in assessing

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the rights, privileges, and duties pertaining thereto.

(f) The division may adopt rules to administer and enforce this chapter.

(g) The division shall establish procedures for providing notice to an association and the developer, bulk assignee, or bulk buyer during the period in which the developer, bulk assignee, or bulk buyer controls the association if the division is considering the issuance of a declaratory statement with respect to the declaration of condominium or any related document governing such condominium community.

(h) The division shall furnish each association that pays the fees required by paragraph (2)(a) a copy of this chapter, as amended, and the rules adopted thereto on an annual basis.

(i) The division shall annually provide each association with a summary of declaratory statements and formal legal opinions relating to the operations of condominiums which were rendered by the division during the previous year.

(j) The division shall provide training and educational programs for condominium association board members and unit owners. The training may, in the division's discretion, include web-based electronic media, and live training and seminars in various locations throughout the state. The division may review and approve education and training programs for board members and unit owners offered by providers and shall maintain a current list of approved programs and providers and make such list available to board members and unit owners in a reasonable and cost-effective manner.

(k) The division shall maintain a toll-free telephone number accessible to condominium unit owners.

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(l) The division shall develop a program to certify both volunteer and paid mediators to provide mediation of condominium disputes. The division shall provide, upon request, a list of such mediators to any association, unit owner, or other participant in alternative dispute resolution proceedings under s. 718.1255 requesting a copy of the list. The division shall include on the list of volunteer mediators only the names of persons who have received at least 20 hours of training in mediation techniques or who have mediated at least 20 disputes. In order to become initially certified by the division, paid mediators must be certified by the Supreme Court to mediate court cases in county or circuit courts. However, the division may adopt, by rule, additional factors for the certification of paid mediators, which must be related to experience, education, or background. Any person initially certified as a paid mediator by the division must, in order to continue to be certified, comply with the factors or requirements adopted by rule.

(m) If a complaint is made, the division must conduct its inquiry with due regard for the interests of the affected parties. Within 30 days after receipt of a complaint, the division shall acknowledge the complaint in writing and notify the complainant whether the complaint is within the jurisdiction of the division and whether additional information is needed by the division from the complainant. The division shall conduct its investigation and, within 90 days after receipt of the original complaint or of timely requested additional information, take action upon the complaint. However, the failure to complete the investigation within 90 days does not prevent the division from continuing the investigation,

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accepting or considering evidence obtained or received after 90 days, or taking administrative action if reasonable cause exists to believe that a violation of this chapter or a rule has occurred. If an investigation is not completed within the time limits established in this paragraph, the division shall, on a monthly basis, notify the complainant in writing of the status of the investigation. When reporting its action to the complainant, the division shall inform the complainant of any right to a hearing under ss. 120.569 and 120.57. The division may adopt rules regarding the submission of a complaint against an association.

(n) Condominium association directors, officers, and employees; condominium developers; bulk assignees, bulk buyers, and community association managers; and community association management firms have an ongoing duty to reasonably cooperate with the division in any investigation under this section. The division shall refer to local law enforcement authorities any person whom the division believes has altered, destroyed, concealed, or removed any record, document, or thing required to be kept or maintained by this chapter with the purpose to impair its verity or availability in the department's investigation.

(o) The division may:

1. Contract with agencies in this state or other jurisdictions to perform investigative functions; or

2. Accept grants-in-aid from any source.

(p) The division shall cooperate with similar agencies in other jurisdictions to establish uniform filing procedures and forms, public offering statements, advertising standards, and rules and common administrative practices.

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(q) The division shall consider notice to a developer, bulk assignee, or bulk buyer to be complete when it is delivered to the address of the developer, bulk assignee, or bulk buyer currently on file with the division.

(r) In addition to its enforcement authority, the division may issue a notice to show cause, which must provide for a hearing, upon written request, in accordance with chapter 120.

(s) The division shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees an annual report that includes, but need not be limited to, the number of training programs provided for condominium association board members and unit owners, the number of complaints received by type, the number and percent of complaints acknowledged in writing within 30 days and the number and percent of investigations acted upon within 90 days in accordance with paragraph (m), and the number of investigations exceeding the 90-day requirement. The annual report must also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. The report shall be submitted by September 30 following the end of the fiscal year.

Section 4. This act shall take effect July 1, 2022.

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4-01479-22

A bill to be entitled

An act relating to K-12 education; reordering and amending s. 1000.21, F.S.; redefining the term "Next Generation Sunshine State Standards" as "education standards," to conform to changes made by the act; amending ss. 1001.215, 1002.33, 1002.45, 1003.41, 1003.4282, 1003.499, 1003.4995, 1006.28, 1006.29, 1006.31, 1006.33, 1006.34, 1007.35, 1008.22, 1008.25, and 1012.56, F.S.; renaming the Next Generation Sunshine State Standards; conforming provisions to changes made by the act; amending ss. 39.101, 121.051, 497.260, 961.06, 1001.60, 1004.648, 1004.65, 1004.79, 1007.33, 1009.21, 1009.286, and 1009.895, F.S.; conforming cross-references to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1000.21, Florida Statutes, is reordered and amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(1) "Articulation" means ~~is~~ the systematic coordination that provides the means by which students proceed toward their educational objectives in as rapid and student-friendly manner as their circumstances permit, from grade level to grade level, from elementary to middle to high school, to and through postsecondary education, and when transferring from one educational institution or program to another.

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(3)~~(2)~~ "Commissioner" means ~~is~~ the Commissioner of Education.

(6)~~(3)~~ "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(a) Eastern Florida State College, which serves Brevard County.

(b) Broward College, which serves Broward County.

(c) College of Central Florida, which serves Citrus, Levy, and Marion Counties.

(d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.

(e) Daytona State College, which serves Flagler and Volusia Counties.

(f) Florida SouthWestern State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.

(g) Florida State College at Jacksonville, which serves Duval and Nassau Counties.

(h) The College of the Florida Keys, which serves Monroe County.

(i) Gulf Coast State College, which serves Bay, Franklin, and Gulf Counties.

(j) Hillsborough Community College, which serves Hillsborough County.

(k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.

(l) Florida Gateway College, which serves Baker, Columbia,

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Dixie, Gilchrist, and Union Counties.

(m) Lake-Sumter State College, which serves Lake and Sumter Counties.

(n) State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties.

(o) Miami Dade College, which serves Miami-Dade County.

(p) North Florida College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.

(q) Northwest Florida State College, which serves Okaloosa and Walton Counties.

(r) Palm Beach State College, which serves Palm Beach County.

(s) Pasco-Hernando State College, which serves Hernando and Pasco Counties.

(t) Pensacola State College, which serves Escambia and Santa Rosa Counties.

(u) Polk State College, which serves Polk County.

(v) St. Johns River State College, which serves Clay, Putnam, and St. Johns Counties.

(w) St. Petersburg College, which serves Pinellas County.

(x) Santa Fe College, which serves Alachua and Bradford Counties.

(y) Seminole State College of Florida, which serves Seminole County.

(z) South Florida State College, which serves DeSoto, Hardee, and Highlands Counties.

(aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.

(bb) Valencia College, which serves Orange and Osceola

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Counties.

(4) "Department" means ~~is~~ the Department of Education.

(7)~~(5)~~ "Parent" means ~~is~~ either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent.

(8)~~(6)~~ "State university," except as otherwise specifically provided, includes the following institutions and any branch campuses, centers, or other affiliates of the institution:

(a) The University of Florida.

(b) The Florida State University.

(c) The Florida Agricultural and Mechanical University.

(d) The University of South Florida.

(e) The Florida Atlantic University.

(f) The University of West Florida.

(g) The University of Central Florida.

(h) The University of North Florida.

(i) The Florida International University.

(j) The Florida Gulf Coast University.

(k) New College of Florida.

(l) The Florida Polytechnic University.

(5)~~(7)~~ "Education ~~Next Generation Sunshine State~~ standards" or "standards" means the state's public K-12 curricular standards adopted under s. 1003.41.

(2)~~(8)~~ "Board of Governors" means ~~is~~ the Board of Governors of the State University System.

Section 2. Subsections (4) and (9) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office.—There is created in

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the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the education standards ~~Next Generation Sunshine State Standards~~ for social studies, science, and the arts adopted pursuant to s. 1003.41. The office shall, as part of the adoption cycle for English Language Arts instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8) and incorporate professional development to implement such strategies.

(9) Periodically review the education ~~Next Generation Sunshine State~~ standards for English Language Arts to determine their appropriateness at each grade level.

Section 3. Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(7) CHARTER.—The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor and the governing board of the charter school shall use the standard charter contract pursuant to subsection (21), which shall incorporate the approved application and any addenda

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approved with the application. Any term or condition of a proposed charter contract that differs from the standard charter contract adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41 and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of

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technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will

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be evaluated and compared with rates of progress of other closely comparable student populations.

A district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school’s code of student conduct. Admission or dismissal must not be based on a student’s academic performance.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other nearby public schools.

9. The financial and administrative management of the

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school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 5 years, excluding 2 planning years. In

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order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the sponsor. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the sponsor. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being

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converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade

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levels that will be added, as applicable.

Section 4. Paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(2) PROVIDER QUALIFICATIONS.—

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

1. Is nonsectarian in its programs, admission policies, employment practices, and operations;

2. Complies with the antidiscrimination provisions of s. 1000.05;

3. Locates an administrative office or offices in this state, requires its administrative staff to be state residents, requires all instructional staff to be Florida-certified teachers under chapter 1012 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;

4. Provides to parents and students specific information posted and accessible online that includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via phone, e-mail, or online messaging tools.

b. How to contact technical support via phone, e-mail, or online messaging tools.

c. How to contact the administration office via phone, e-mail, or online messaging tools.

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d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

e. The requirement that the instructor in each course must, at a minimum, conduct one contact with the parent and the student each month;

5. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option. However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured pursuant to subparagraph (8)(a)2. Conditional approval shall be valid for 1 school year only and, based on the provider's experience in offering the courses, the department shall determine whether to grant approval to offer a virtual instruction program;

6. Is accredited by a regional accrediting association as defined by State Board of Education rule;

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the

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education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

8. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of its application as a provider and in all contracts negotiated pursuant to this section:

a. Information and data about the curriculum of each full-time and part-time program.

b. School policies and procedures.

c. Certification status and physical location of all administrative and instructional personnel.

d. Hours and times of availability of instructional personnel.

e. Student-teacher ratios.

f. Student completion and promotion rates.

g. Student, educator, and school performance accountability outcomes;

9. If the provider is a Florida College System institution, employs instructors who meet the certification requirements for instructional staff under chapter 1012; and

10. Performs an annual financial audit of its accounts and records conducted by an independent certified public accountant which is in accordance with rules adopted by the Auditor General, is conducted in compliance with generally accepted auditing standards, and includes a report on financial statements presented in accordance with generally accepted

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accounting principles.

(4) CONTRACT REQUIREMENTS.—Each contract with an approved provider must at minimum:

(a) Set forth a detailed curriculum plan that illustrates how students will be provided services and be measured for attainment of proficiency in the education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41 for each grade level and subject.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Florida education ~~Next Generation Sunshine State~~ standards.—

(1) The education ~~Next Generation Sunshine State~~ standards articulated in this section establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for

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grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) These ~~Next Generation Sunshine State~~ standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop

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and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

Section 6. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(1) TWENTY-FOUR CREDITS REQUIRED.—

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the education ~~Next Generation Sunshine State~~ standards adopted for that subject pursuant to s. 1003.41. An applied course aligns with the educational ~~Next Generation Sunshine State~~ standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses

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within a content area or across content areas.

Section 7. Paragraph (a) of subsection (3) of section 1003.499, Florida Statutes, is amended to read:

1003.499 Florida Approved Courses and Tests (FACT) Initiative.—

(3) PROVIDER REQUIREMENTS.—

(a) To be approved by the Department of Education, an individual provider must provide all the following documentation that demonstrates that he or she:

1. Is nonsectarian regarding courses, enrollment policies, employment practices, and operations.

2. Complies with the antidiscrimination provisions of s. 1000.05.

3. Requires all instructional staff to be Florida-certified teachers under chapter 1012 or certified as adjunct educators under s. 1012.57 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

4. Provides to parents and students specific information posted and accessible online which includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via telephone, e-mail, or online messaging tools.

b. How to contact technical support via telephone, e-mail, or online messaging tools.

c. How to contact the administration office or an individual offering online courses, including, but not limited to, massive open online courses, via telephone, e-mail, or

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online messaging tools.

d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

5. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains or student growth in each subject area and grade level provided for consideration as an instructional program option. However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured by the statewide assessment program pursuant to s. 1008.22. Conditional approval is valid for 1 year. Renewal of provider approval is contingent on sufficient performance data available demonstrating success in accordance with this section and State Board of Education rule.

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41.

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c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

7. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of the application as a provider and in all contracts negotiated pursuant to this section all of the following information:

a. Certification status and physical location of all administrative and instructional personnel.

b. Hours and times of availability of instructional personnel.

c. Student-teacher ratios.

d. Student completion and promotion rates.

e. Student, educator, and school performance accountability outcomes.

Section 8. Section 1003.4995, Florida Statutes, is amended to read:

1003.4995 Fine arts report.—The Commissioner of Education shall prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41. The report shall be posted on

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the Department of Education's website and updated annually.

Section 9. Paragraph (b) of subsection (2) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(2) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The district school board also has the following specific duties and responsibilities:

(b) *Instructional materials.*—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. Instructional materials used must be consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable education ~~Next Generation Sunshine State~~ standards provided for in s. 1003.41.

Section 10. Paragraph (b) of subsection (1) of section 1006.29, Florida Statutes, is amended to read:

1006.29 State instructional materials reviewers.—

(1)

(b) By April 15 of each school year, the commissioner shall appoint three state or national experts in the content areas submitted for adoption to review the instructional materials and evaluate the content for alignment with the applicable education ~~Next Generation Sunshine State~~ standards adopted pursuant to s.

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1003.41. These reviewers shall be designated as state instructional materials reviewers and shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The initial review of the materials shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.

Section 11. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district instructional materials reviewer.—The duties of the instructional materials reviewer are:

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the selection criteria listed in s. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with the education ~~Next Generation Sunshine State~~ standards provided for in s. 1003.41. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under s. 847.012, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending

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instructional materials, each reviewer shall:

(a) Include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) Include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) Include materials that encourage thrift, fire prevention, and humane treatment of people and animals.

(d) Require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

Section 12. Paragraph (e) of subsection (1) of section 1006.33, Florida Statutes, is amended to read:

1006.33 Bids or proposals; advertisement and its contents.—

(1)

(e) The advertisement shall give information regarding digital specifications that have been adopted by the department,

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including minimum format requirements that will enable electronic and digital content to be accessed through the district's local instructional improvement system and a variety of mobile, electronic, and digital devices. Beginning with specifications released in 2014, the digital specifications shall include requiring the capability for searching by state standards and site and student-level licensing. Such digital format specifications shall be appropriate for the interoperability of the content. The department may not adopt specifications that require the instructional materials to include specific references to FCAT and the education ~~Next Generation Sunshine State~~ standards and benchmarks at the point of student use.

Section 13. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the commissioner and the department in selecting and adopting instructional materials.—

(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.

2. The educational purpose to be served by the material. Priority shall be given to the selection of materials that align with the education ~~Next Generation Sunshine State~~ standards ~~as provided for~~ in s. 1003.41 and include the instructional objectives contained within the curriculum frameworks for career

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and technical education and adult and adult general education adopted by rule of the State Board of Education under s. 1004.92.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Any instructional material containing pornography or otherwise prohibited by s. 847.012 may not be used or made available within any public school.

Section 14. Paragraph (c) of subsection (6) of section 1007.35, Florida Statutes, is amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(6) The partnership shall:

(c) Provide teacher training and materials that are aligned with the educational ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41 and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.

Section 15. Subsection (3) of section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The

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Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the educational ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the educational ~~Next Generation Sunshine State~~ standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Statewide, standardized comprehensive assessments.*—The statewide, standardized English Language Arts (ELA) assessments shall be administered to students in grades 3 through 10. Retake opportunities for the grade 10 ELA assessment must be provided. Reading passages and writing prompts for ELA assessments shall incorporate grade-level core curricula content from social studies. The statewide, standardized mathematics assessments shall be administered annually in grades 3 through 8. The statewide, standardized science assessment shall be administered

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annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9). Statewide, standardized ELA and mathematics assessments in grades 3 through 6 must be delivered in a paper-based format.

(b) *End-of-course (EOC) assessments.*—EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:

1. EOC assessments for Algebra I, Geometry, Biology I, United States History, and Civics shall be administered to students enrolled in such courses as specified in the course code directory.

2. Students enrolled in a course, as specified in the course code directory, with an associated statewide, standardized EOC assessment must take the EOC assessment for such course and may not take the corresponding subject or grade-level statewide, standardized assessment pursuant to paragraph (a). Sections 1003.4156 and 1003.4282 govern the use of statewide, standardized EOC assessment results for students.

3. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the CAPE Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines

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that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the education ~~Next Generation Sunshine State~~ standards. Use of any such examination as an EOC assessment must be approved by the state board in rule.

4. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board in rule. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.

5. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (d).

6. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit, as identified in s. 1007.27(2), meets the requirements of this paragraph and does not have to take the EOC assessment for the corresponding course.

(c) *Nationally recognized high school assessments.*—Each school district shall, by the 2021-2022 school year and subject to appropriation, select either the SAT or ACT for districtwide administration to each public school student in grade 11,

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including students attending public high schools, alternative schools, and Department of Juvenile Justice education programs.

(d) *Students with disabilities; Florida Alternate Assessment.*—

1. Each district school board must provide instruction to prepare students with disabilities in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.

2. A student with a disability, as defined in s. 1007.02, for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.

3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.

a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized

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assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.

b. If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student's ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.

c. If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.

4. For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.

(e) *Assessment scores and achievement levels.*—

1. All statewide, standardized EOC assessments and ELA, mathematics, and science assessments shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3

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indicating satisfactory performance on an assessment.

2. The state board shall designate by rule a passing score for each statewide, standardized assessment.

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(f) *Prohibited activities.*—A district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice assessments or

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engaging in other assessment-preparation activities for a statewide, standardized assessment. However, a district school board may authorize a public school to engage in the following assessment-preparation activities:

1. Distributing to students sample assessment books and answer keys published by the Department of Education.

2. Providing individualized instruction in assessment-taking strategies, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.

3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(g) *Contracts for assessments.*—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary

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educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

Section 16. Paragraph (b) of subsection (7) of section 1008.25, Florida Statutes, is amended to read:

1008.25 Public school student progression; student support; screening and progress monitoring; reporting requirements.—

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(b) Each school district shall:

1. Provide written notification to the parent of a student who is retained under paragraph (5)(c) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with paragraph (5)(d) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

2. Implement a policy for the midyear promotion of a student retained under paragraph (5)(c) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of English Language Arts assessments, performing at or above grade level in English Language Arts. Tools that school districts may

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use in reevaluating a student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate proficiency levels in reading equivalent to the level necessary for the beginning of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate grade 4 level reading skills.

3. Provide students who are retained under paragraph (5)(c), including students participating in the school district's summer reading camp under subparagraph (a)2., with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34, and, beginning July 1, 2020, the teacher must also be certified or endorsed in reading.

4. Establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:

a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 education ~~Next Generation Sunshine State~~ standards in other core subject areas through content-rich texts.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language

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therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

e. A read-at-home plan.

Section 17. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—The State Board of Education shall align the subject area examinations to the education ~~Next Generation Sunshine State~~ standards adopted pursuant to s. 1003.41.

Section 18. Paragraph (f) of subsection (3) of section 39.101, Florida Statutes, is amended to read:

39.101 Central abuse hotline.—The central abuse hotline is the first step in the safety assessment and investigation process.

(3) COLLECTION OF INFORMATION AND DATA.—The department shall:

(f)1. Collect and analyze child-on-child sexual abuse reports and include such information in the aggregate statistical reports.

2. Collect and analyze, in separate statistical reports, those reports of child abuse, sexual abuse, and juvenile sexual abuse which are reported from or which occurred on or at:

a. School premises;

b. School transportation;

c. School-sponsored off-campus events;

d. A school readiness program provider determined to be eligible under s. 1002.88;

e. A private prekindergarten provider or a public school

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prekindergarten provider, as those terms are defined in s. 1002.51(7) and (8), respectively;

f. A public K-12 school as described in s. 1000.04;

g. A private school as defined in s. 1002.01;

h. A Florida College System institution or a state university, as those terms are defined in s. 1000.21 ~~s. 1000.21(3) and (6), respectively~~; or

i. A school, as defined in s. 1005.02.

Section 19. Paragraph (c) of subsection (2) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(2) OPTIONAL PARTICIPATION.—

(c) Employees of public community colleges or charter technical career centers sponsored by public community colleges, designated in s. 1000.21(6) ~~s. 1000.21(3)~~, who are members of the Regular Class of the Florida Retirement System and who comply with the criteria set forth in this paragraph and s. 1012.875 may, in lieu of participating in the Florida Retirement System, elect to withdraw from the system altogether and participate in the State Community College System Optional Retirement Program provided by the employing agency under s. 1012.875.

1.a. Through June 30, 2001, the cost to the employer for benefits under the optional retirement program equals the normal cost portion of the employer retirement contribution which would be required if the employee were a member of the pension plan's Regular Class, plus the portion of the contribution rate required by s. 112.363(8) which would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund.

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b. Effective July 1, 2001, through June 30, 2011, each employer shall contribute on behalf of each member of the optional program an amount equal to 10.43 percent of the employee's gross monthly compensation. The employer shall deduct an amount for the administration of the program.

c. Effective July 1, 2011, through June 30, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 10.43 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

d. Effective July 1, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 8.15 percent of the employee's gross monthly compensation and the employee's required contribution based on the employee's gross monthly compensation.

e. The employer shall contribute an additional amount to the Florida Retirement System Trust Fund equal to the unfunded actuarial accrued liability portion of the Regular Class contribution rate.

2. The decision to participate in the optional retirement program is irrevocable as long as the employee holds a position eligible for participation, except as provided in subparagraph 3. Any service creditable under the Florida Retirement System is retained after the member withdraws from the system; however, additional service credit in the system may not be earned while

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a member of the optional retirement program.

3. An employee who has elected to participate in the optional retirement program shall have one opportunity, at the employee's discretion, to transfer from the optional retirement program to the pension plan of the Florida Retirement System or to the investment plan established under part II of this chapter, subject to the terms of the applicable optional retirement program contracts.

a. If the employee chooses to move to the investment plan, any contributions, interest, and earnings creditable to the employee under the optional retirement program are retained by the employee in the optional retirement program, and the applicable provisions of s. 121.4501(4) govern the election.

b. If the employee chooses to move to the pension plan of the Florida Retirement System, the employee shall receive service credit equal to his or her years of service under the optional retirement program.

(I) The cost for such credit is the amount representing the present value of the employee's accumulated benefit obligation for the affected period of service. The cost shall be calculated as if the benefit commencement occurs on the first date the employee becomes eligible for unreduced benefits, using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System Pension Plan liabilities in the most recent actuarial valuation. The calculation must include any service already maintained under the pension plan in addition to the years under the optional retirement program. The present value of any service already maintained must be applied as a credit to total cost resulting

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from the calculation. The division must ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(II) The employee must transfer from his or her optional retirement program account and from other employee moneys as necessary, a sum representing the present value of the employee's accumulated benefit obligation immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and service in the optional retirement program.

4. Participation in the optional retirement program is limited to employees who satisfy the following eligibility criteria:

a. The employee is otherwise eligible for membership or renewed membership in the Regular Class of the Florida Retirement System, as provided in s. 121.021(11) and (12) or s. 121.122.

b. The employee is employed in a full-time position classified in the Accounting Manual for Florida's College System as:

(I) Instructional; or

(II) Executive Management, Instructional Management, or Institutional Management and the community college determines that recruiting to fill a vacancy in the position is to be conducted in the national or regional market, and the duties and responsibilities of the position include the formulation, interpretation, or implementation of policies, or the performance of functions that are unique or specialized within higher education and that frequently support the mission of the

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community college.

c. The employee is employed in a position not included in the Senior Management Service Class of the Florida Retirement System as described in s. 121.055.

5. Members of the program are subject to the same reemployment limitations, renewed membership provisions, and forfeiture provisions applicable to regular members of the Florida Retirement System under ss. 121.091(9), 121.122, and 121.091(5), respectively. A member who receives a program distribution funded by employer and required employee contributions is deemed to be retired from a state-administered retirement system if the member is subsequently employed with an employer that participates in the Florida Retirement System.

6. Eligible community college employees are compulsory members of the Florida Retirement System until, pursuant to s. 1012.875, a written election to withdraw from the system and participate in the optional retirement program is filed with the program administrator and received by the division.

a. A community college employee whose program eligibility results from initial employment shall be enrolled in the optional retirement program retroactive to the first day of eligible employment. The employer and employee retirement contributions paid through the month of the employee plan change shall be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

b. A community college employee whose program eligibility is due to the subsequent designation of the employee's position

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as one of those specified in subparagraph 4., or due to the employee's appointment, promotion, transfer, or reclassification to a position specified in subparagraph 4., must be enrolled in the program on the first day of the first full calendar month that such change in status becomes effective. The employer and employee retirement contributions paid from the effective date through the month of the employee plan change must be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

7. Effective July 1, 2003, through December 31, 2008, any member of the optional retirement program who has service credit in the pension plan of the Florida Retirement System for the period between his or her first eligibility to transfer from the pension plan to the optional retirement program and the actual date of transfer may, during employment, transfer to the optional retirement program a sum representing the present value of the accumulated benefit obligation under the defined benefit retirement program for the period of service credit. Upon transfer, all service credit previously earned under the pension plan during this period is nullified for purposes of entitlement to a future benefit under the pension plan.

Section 20. Paragraph (i) of subsection (1) of section 497.260, Florida Statutes, is amended to read:

497.260 Cemeteries; exemption; investigation and mediation.—

(1) The provisions of this chapter relating to cemeteries and all rules adopted pursuant thereto shall apply to all

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cemeteries except for:

(i) A columbarium consisting of 5 acres or less which is located on the main campus of a state university as defined in s. 1000.21 ~~s. 1000.21(6)~~. The university or university direct-support organization, as defined in s. 1004.28(1), which establishes the columbarium shall ensure that the columbarium is constructed and perpetually kept and maintained in a manner consistent with subsection (2) and the intent of this chapter.

Section 21. Subsection (1) of section 961.06, Florida Statutes, is amended to read:

961.06 Compensation for wrongful incarceration.—

(1) Except as otherwise provided in this act and subject to the limitations and procedures prescribed in this section, a person who is found to be entitled to compensation under the provisions of this act is entitled to:

(a) Monetary compensation for wrongful incarceration, which shall be calculated at a rate of $50,000 for each year of wrongful incarceration, prorated as necessary to account for a portion of a year. For persons found to be wrongfully incarcerated after December 31, 2008, the Chief Financial Officer may adjust the annual rate of compensation for inflation using the change in the December-to-December "Consumer Price Index for All Urban Consumers" of the Bureau of Labor Statistics of the Department of Labor;

(b) A waiver of tuition and fees for up to 120 hours of instruction at any career center established under s. 1001.44, any Florida College System institution as defined in s. 1000.21 ~~s. 1000.21(3)~~, or any state university as defined in s. 1000.21 ~~s. 1000.21(6)~~, if the wrongfully incarcerated person meets and

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maintains the regular admission requirements of such career center, Florida College System institution, or state university; remains registered at such educational institution; and makes satisfactory academic progress as defined by the educational institution in which the claimant is enrolled;

(c) The amount of any fine, penalty, or court costs imposed and paid by the wrongfully incarcerated person;

(d) The amount of any reasonable attorney's fees and expenses incurred and paid by the wrongfully incarcerated person in connection with all criminal proceedings and appeals regarding the wrongful conviction, to be calculated by the department based upon the supporting documentation submitted as specified in s. 961.05; and

(e) Notwithstanding any provision to the contrary in s. 943.0583 or s. 943.0585, immediate administrative expunction of the person's criminal record resulting from his or her wrongful arrest, wrongful conviction, and wrongful incarceration. The Department of Legal Affairs and the Department of Law Enforcement shall, upon a determination that a claimant is entitled to compensation, immediately take all action necessary to administratively expunge the claimant's criminal record arising from his or her wrongful arrest, wrongful conviction, and wrongful incarceration. All fees for this process shall be waived.

The total compensation awarded under paragraphs (a), (c), and (d) may not exceed $2 million. No further award for attorney's fees, lobbying fees, costs, or other similar expenses shall be made by the state.

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Section 22. Subsection (2) of section 1001.60, Florida Statutes, is amended to read:

1001.60 Florida College System.—

(2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida College System comprised of the Florida College System institutions identified in s. 1000.21 ~~s. 1000.21(3)~~. A Florida College System institution may not offer graduate degree programs.

(a) The programs and services offered by Florida College System institutions in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of its district board of trustees, a Florida College System institution may change the institution's name set forth in s. 1000.21 ~~s. 1000.21(3)~~ and use the designation "college" or "state college" if it has been authorized to grant baccalaureate degrees pursuant to s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools.

2. With the approval of its district board of trustees, a Florida College System institution that does not meet the criteria in subparagraph 1. may request approval from the State Board of Education to change the institution's name set forth in s. 1000.21 ~~s. 1000.21(3)~~ and use the designation "college." The State Board of Education may approve the request if the Florida College System institution enters into an agreement with the State Board of Education to do the following:

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a. Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(5).

b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

c. Continue to provide outreach to underserved populations.

d. Continue to provide remedial education.

e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(c) A district board of trustees that approves a change to the name of an institution under paragraph (b) must seek statutory codification of such name change in s. 1000.21 ~~s. 1000.21(3)~~ during the next regular legislative session.

(d) A Florida College System institution may not use the designation "university."

Section 23. Subsection (3) of section 1004.648, Florida Statutes, is amended to read:

1004.648 Florida Energy Systems Consortium.—

(3) The consortium shall consist of the state universities as identified under s. 1000.21 ~~s. 1000.21(6)~~.

Section 24. Paragraph (a) of subsection (2) of section 1004.65, Florida Statutes, is amended to read:

1004.65 Florida College System institutions; governance, mission, and responsibilities.—

(2) Each Florida College System institution district shall:

(a) Consist of the county or counties served by the Florida

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College System institution pursuant to s. 1000.21 ~~s. 1000.21(3)~~.

Section 25. Subsection (1) of section 1004.79, Florida Statutes, is amended to read:

1004.79 Incubator facilities for small business concerns.—

(1) Each Florida College System institution established pursuant to s. 1000.21 ~~s. 1000.21(3)~~ may provide incubator facilities to eligible small business concerns. As used in this section, "small business concern" means ~~shall be defined as~~ an independently owned and operated business concern incorporated in Florida which is not an affiliate or a subsidiary of a business dominant in its field of operation, and which employs 25 or fewer full-time employees. "Incubator facility" means ~~shall be defined as~~ a facility in which small business concerns share common space, equipment, and support personnel and through which such concerns have access to professional consultants for advice related to the technical and business aspects of conducting a commercial enterprise. The Florida College System institution board of trustees shall authorize concerns for inclusion in the incubator facility.

Section 26. Paragraph (b) of subsection (1) of section 1007.33, Florida Statutes, is amended to read:

1007.33 Site-determined baccalaureate degree access.—

(1)

(b) For purposes of this section, the term "district" refers to the county or counties served by a Florida College System institution pursuant to s. 1000.21 ~~s. 1000.21(3)~~.

Section 27. Paragraph (c) of subsection (1) of section 1009.21, Florida Statutes, is amended to read:

1009.21 Determination of resident status for tuition

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purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida College System institutions, and in state universities.

(1) As used in this section, the term:

(c) "Institution of higher education" means any charter technical career center as defined in s. 1002.34, career center operated by a school district as defined in s. 1001.44, Florida College System institution as defined in s. 1000.21 ~~s. 1000.21(3)~~, or state university as defined in s. 1000.21 ~~s. 1000.21(6)~~.

Section 28. Subsection (6) of section 1009.286, Florida Statutes, is amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities.—

(6) For purposes of this section, the terms ~~term~~ "state university" ~~includes the institutions identified in s. 1000.21(6)~~ and ~~the term~~ "Florida College System institution" include ~~includes~~ the institutions identified in s. 1000.21 with relation to the State University System and the Florida College System, respectively ~~s. 1000.21(3)~~.

Section 29. Paragraph (c) of subsection (1) of section 1009.895, Florida Statutes, is amended to read:

1009.895 Open Door Grant Program.—

(1) As used in this section, the term:

(c) "Institution" means school district postsecondary

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technical career centers under s. 1001.44, Florida College System institutions under s. 1000.21 ~~s. 1000.21(3)~~, and charter technical career centers under s. 1002.34.

Section 30. This act shall take effect July 1, 2022.

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