



# Journal of the Senate

Number 13—Regular Session

Thursday, April 19, 2007

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[See end of Journal for Bill Action Summary]

## CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—36:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Argenziano	Gaetz	Peaden
Aronberg	Geller	Posey
Atwater	Haridopolos	Rich
Baker	Hill	Ring
Bennett	Jones	Saunders
Bullard	Joyner	Siplin
Carlton	Justice	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Deutch	Lynn	Wise

Excused: Senator Storms

## PRAYER

The following prayer was offered by Father Melvin Gray, Interim Rector, St. John's Episcopal Church, Tallahassee:

Gracious God, creator of and ruler of the universe, in whom we live and move and have our being; we give thanks this day for all your blessings. We remember before you this day all the victims of the tragedy this week at Virginia Tech. May your spirit be a source of comfort and strength to those who mourn and healing for those who were wounded. We pray for your guidance and protection for all those who are part of the schools, colleges and universities here in Florida.

Now, as they devote themselves to the work of this day, we give thanks for the diversity of gifts, the diversity of regions of Florida, and the diversity of perspectives represented in this room. Guide these Senators to use the power entrusted to them for the common good of the people whom they serve. Give them wisdom and discernment as they meet today so that the least, the lost, and the little ones in this great state will know that they too are represented in the highest places.

Finally, as they serve the citizens of Florida, may they have a joyful sense of serving you. Amen.

## PLEDGE

Senate Pages Matthew R. Miller of Wewahitchka; Peter Monteparo of Melbourne; Grace Smokay of Haines City; and Nathan Sullivan of Live Oak, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

On motion by Senator Argenziano—

By Senator Argenziano—

**SR 3020**—A resolution recognizing the anniversaries of the Purple Heart and the Military Order of the Purple Heart.

WHEREAS, the Purple Heart, established by General George Washington 225 years ago on August 7, 1782, and originally known as the Military Badge of Merit, is the oldest military decoration in the world in present use, and

WHEREAS, the Purple Heart was adopted February 22, 1932, on the 200th anniversary of General George Washington's birth as a combat decoration awarded exclusively to members of the Armed Forces wounded by an instrument of war in the hands of the enemy and awarded posthumously to the next of kin in the names of members who were killed in action or those who died of wounds received in action, and

WHEREAS, more than 1.5 million members of the Armed Forces have been awarded the Purple Heart for their gallant defense of our valued freedoms against the enemies of our cherished Republic, and

WHEREAS, the organization known as the Military Order of the Purple Heart was formed on October 19, 1932, for the protection and mutual interest of members of the Armed Forces who have received the Purple Heart, and

WHEREAS, the Military Order of the Purple Heart is the only veterans organization comprised solely of combat veterans and is the only veterans organization exclusively chartered by Congress for combat-wounded veterans, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes 2007 as the 225th anniversary of the Purple Heart and the 75th anniversary of the Military Order of the Purple Heart.

BE IT FURTHER RESOLVED that the Florida Senate pays tribute to all recipients of the Purple Heart for their courageous sacrifices on the fields of battle and commends the Military Order of the Purple Heart as a national organization dedicated to preserving the proud legacy of the Purple Heart and to assisting America's veterans through its participation in the Department of Veterans Affairs National Service Officer Program.

—was introduced out of order and read by title. On motion by Senator Argenziano, **SR 3020** was read the second time in full and adopted.

On motion by Senator Argenziano—

By Senator Argenziano—

**SR 3026**—A resolution recognizing the United States Air Force on its 60th Anniversary.

WHEREAS, this year marks the year-long celebration of the 60th Anniversary of the U.S. Air Force as an independent branch of the nation's military and is the centennial of the first contract for military aircraft to the Wright Brothers in 1907, and

WHEREAS, the theme of this year's celebration is "Heritage to Horizons: Commemorating 60 Years of Air and Space Power" as this country honors the valor, courage, and commitment of generations of airmen and airwomen who have risked their lives in the defense of freedom, and

WHEREAS, America's air force is the largest and most technologically advanced air force in the world, with more than 9,000 aircraft in service and more than 350,000 personnel on active duty, and

WHEREAS, the stated mission of the U.S. Air Force today is "to deliver sovereign options for the defense of the United States of America and its global interests - to fly and fight in Air, Space, and Cyberspace," and

WHEREAS, Florida is proud to be home to five U.S. Air Force Bases and three Air Stations - Eglin AFB, Tyndall AFB, Hurlburt Field, MacDill AFB, Patrick AFB, Avon Park Air Station, Cape Canaveral Air Station, and Duke Field, and

WHEREAS, this anniversary year is an opportunity for all Americans to honor the many patriotic men and women who have served in the United States Air Force and its predecessor organizations and especially to recognize the more than 54,000 airmen and airwomen who have paid the ultimate price for their country - giving their lives for freedom, justice, and the American way of life, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate pauses in its deliberations to commemorate the personal sacrifice of the members of the United States Air Force and to celebrate its 60th year of commitment and resolve in protecting this country's freedom.

—was introduced out of order and read by title. On motion by Senator Argenziano, **SR 3026** was read the second time in full and adopted.

At the request of Senator Fasano—

By Senator Fasano—

**SR 1918**—A resolution recognizing February 6, 2007, as "Ronald Reagan Day" in Florida.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, and corporate spokesman, and elected Governor of California and President of the United States, and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America and was elected to his second term by 3/5ths of the electorate and by 49 of the 50 states, a record unsurpassed in the history of American presidential elections, and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation that was shackled by rampant inflation and high unemployment, and

WHEREAS, during Mr. Reagan's presidency he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to the Federal Government, which led to unprecedented economic expansion and opportunity for millions of Americans, and

WHEREAS, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped to lower crime and reduce drug use in our neighborhoods, and

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values, and those cherished by the free world, and prepared America's Armed Forces to meet the challenges of the 21st Century, and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people, and

WHEREAS, February 6, 2007, will be the 95th anniversary of Ronald Reagan's birth, and the third anniversary since his passing, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate pauses in its deliberations to honor the memory and accomplishments of President Ronald Wilson Reagan and to recognize February 6, 2007, as "Ronald Reagan Day" in the State of Florida.

—**SR 1918** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

**SR 1922**—A resolution commending Paige Railey on winning the 2006 International Sailing Federation Rolex World Sailor of the Year Award.

WHEREAS, the Clearwater Yacht Club has a proud history dating back to 1911 and is one of the original 13 member clubs of the Florida Council of Yacht Clubs, and

WHEREAS, 19-year-old Paige Railey has been sailing with the Clearwater Yacht Club since she was an 8-year-old green fleet sailor, learning to race in Optimist dinghies, and

WHEREAS, ever since the Laser Radial was selected as the women's one-person dinghy equipment for the 2008 Olympic Sailing Competition, Paige has shown amazing success by winning various national and international titles such as the 2005 Laser Radial World Championship title in Brazil and five more top spots at International Sailing Federation Graded events in 2006, and

WHEREAS, the International Sailing Federation World Sailor of the Year Awards, launched in 1994, are recognized as the pinnacle award a sailor can receive in recognition of his or her outstanding achievements by the world of sailing, and

WHEREAS, during presentation of the International Sailing Federation World Sailor of the Year Awards the outstanding achievements of sailors around the world are honored by the world of sailing, and

WHEREAS, two awards, one for a female sailor or crew and one for a male sailor or crew, are presented each year during the International Sailing Federation Annual Conference in November, and

WHEREAS, on November 7th, 2006, Paige was selected as the Female World Sailor of the Year for her outstanding sailing accomplishments during the 12 months ending August 2nd, 2006, and

WHEREAS, Paige is the youngest recipient ever to win the Rolex Sailor of the World Award, and

WHEREAS, Paige is the first United States female to ever win the Rolex Sailor of the World Award, and

WHEREAS, Paige's goal is to win a gold medal at the Beijing Olympics in 2008, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Paige Railey is congratulated and commended on winning the 2006 International Sailing Federation Rolex World Sailor of the Year Award.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Paige Railey as a token of the sentiments of the Florida Senate.

—**SR 1922** was introduced, read and adopted by publication.

At the request of Senator Justice—

By Senator Justice—

**SR 2948**—A resolution recognizing Hadassah, the Women's Zionist Organization of America, and commending its members in the Florida Central, Florida Broward, Greater Miami, and Florida Atlantic Regions on playing a vital role in improving the quality of life of people in Florida and the United States, in Israel, and elsewhere in the world.

WHEREAS, Hadassah, the Women's Zionist Organization of America, the largest Zionist, largest Jewish, and largest women's membership organization in the country, was founded in 1912 by Henrietta Szold to help meet the medical needs of Palestinians, and

WHEREAS, since that time, Hadassah has been a leading force in meeting Israel's medical needs through Mt. Scopus Hospital, Ein Karem Hospital, and various clinics across the country, and

WHEREAS, Hadassah hospitals, in addition to serving as a model of peaceful coexistence in the Middle East, provide state-of-the-art health care to 600,000 patients a year - regardless of race, religion, or creed - and often treat the most critically wounded in the region's ongoing conflicts, and

WHEREAS, in the United States, Hadassah women sold \$200 million in U.S. World War II bonds as their first national domestic effort, and

WHEREAS, since then, Hadassah women have been actively engaged in domestic health-education programs concerning breast cancer and osteoporosis; voter-registration efforts; Jewish education; grassroots advocacy on U.S.-Israel relations, Jewish communal concerns, and women's issues; humanitarian relief to distressed communities and countries; and volunteer work in literacy programs and at domestic-violence shelters, and

WHEREAS, nominated to receive the Nobel Peace Prize, the Hadassah Medical Organization is recognized for its excellence in promoting peace in the Middle East through its equal treatment for all people, including its care of more victims of terrorism than any other medical center in the region, and, with its mixed staff of people of all faiths, for its serving as a model of cooperation and coexistence in its ongoing initiatives to create bridges for peace even throughout the Intifada, and

WHEREAS, on Thursday, April 19, 2007, Hadassah women are at the Capitol in Tallahassee to help educate Florida Legislators on the value of supporting embryonic stem cell research for all Floridians, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Hadassah's Florida Central, Florida Broward, Florida Atlantic, and Greater Miami Regions are commended on the activities of their members in playing a vital role in improving the quality of life of people in Florida and the United States, in Israel, and elsewhere in the world.

—**SR 2948** was introduced, read and adopted by publication.

At the request of Senator King—

By Senator King—

**SR 2962**—A resolution recognizing the week of June 17-23, 2007, as "Humane Society Appreciation Week" in Florida.

WHEREAS, humane societies have been diligently serving numerous communities in this state - some for more than 45 years, and

WHEREAS, there are currently 48 humane societies serving 40 Florida counties in the struggle against domestic animal overpopulation, and

WHEREAS, stray animals present a health and safety risk for the people and animals of the state, as well as a burden on the environment, and

WHEREAS, an estimated 800,000 or more unwanted and stray animals are euthanized annually in Florida, and

WHEREAS, humane societies promote the elimination of animal overpopulation, animal adoption and education, the prevention of animal cruelty, and the relieving of animal suffering, and

WHEREAS, through education, adoption, and promotion of spay/neuter practices, humane societies are reducing the number of companion animals euthanized in this state, and

WHEREAS, humane societies have located permanent homes for many thousands of unwanted animals and promoted regional spay/neuter campaigns as a preventive and responsible measure for controlling animal overpopulation in Florida, and

WHEREAS, humane societies are staffed by an estimated 10,000 Florida residents who unselfishly volunteer their time, energy, and expertise, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the humane societies across this state are commended for protecting the health, safety, and welfare of the people, animals, and environment of Florida.

BE IT FURTHER RESOLVED that the week of June 17-23, 2007, is recognized as "Humane Society Appreciation Week" in Florida.

—**SR 2962** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senators Wilson and Dawson—

**SR 2984**—A resolution recognizing Alpha Kappa Alpha Sorority, Inc.

WHEREAS, Alpha Kappa Alpha Sorority, Inc., was founded at Howard University in Washington, D.C., in 1908, and

WHEREAS, this Greek letter organization is the first sorority established by African-American college women, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., will be a century old January 2008, thereby earning the designation as "Centennial," and

WHEREAS, this sorority is an international organization that has approximately 250,000 members in more than 900 chapters extending across the United States, the Bahamas, Bermuda, Great Britain, Germany, Korea, and the Virgin Islands, and

WHEREAS, many of these chapters are located in communities and on college and university campuses in the State of Florida, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to community service and has made numerous contributions to the educational, civic, and social lives of Florida's residents, and

WHEREAS, Barbara McKinzie of Chicago, Illinois, is the Centennial International President of this great sisterhood and leads the 250,000 women of this organization in the current international program, "The SPIRIT of AKA," the acronym and concept for Sisterhood, Service, Partnership, Innovation, Respect, Involvement, and Technology, and

WHEREAS, Ella Springs Jones is the Centennial South Atlantic Regional Director of this great sisterhood and leads members of the sorority in Florida, Georgia, and South Carolina, and

WHEREAS, the largest chapter in Florida is Gamma Zeta Omega, located in Miami, and

WHEREAS, Senator Frederica S. Wilson, a past South Atlantic Regional Director, and Senator Mandy Dawson are members of Alpha Kappa Alpha Sorority, and

WHEREAS, members of the Alpha Kappa Alpha Sorority in the State of Florida contribute thousands of volunteer hours implementing service programs in their respective communities, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the members of the Florida Senate recognize the commitment of members of Alpha Kappa Alpha Sorority, Inc., to community service and express special appreciation for their service in the State of Florida.

—SR 2984 was introduced, read and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

## SPECIAL ORDER CALENDAR

By Senator Haridopolos—

**CS for SB 1020**—A bill to be entitled An act relating to ad valorem taxation; amending s. 200.001, F.S.; defining the term “per capita Florida personal income”; amending s. 200.065, F.S.; requiring that the property appraiser provide instructions to the taxing authorities for computing the rolled-back rate; providing alternative methods of calculating the millage rates for the 2007-2008 and 2008-2009 fiscal years; providing a single method for calculating the millage rate beginning in the 2009-2010 fiscal year; providing that certain tax increment finance payments, taxes levied for the payment of bonds, and voted tax levies are exempt from the limitations on millage rates; amending s. 218.63, F.S.; prohibiting a unit of local government from participating in the allocation of revenues from the local government half-cent sales tax if the local government levies a millage rate in excess of the maximum rate allowed; amending ss. 192.0105, 193.1142, 194.037, and 1011.71, F.S., relating to taxpayer rights, approval of the assessment rolls, disclosure of tax impact, and school district taxes; conforming cross-references; providing for the Office of the Auditor General or the Office of Program Policy Analysis and Government Accountability to assist counties or municipalities in implementing the revenue reductions required by the act; providing appropriations; providing an effective date.

—was read the second time by title.

Senator Haridopolos moved the following amendments which were adopted:

**Amendment 1 (551566)(with directory and title amendments)**—On page 2, line 16 through page 3, line 10, delete those lines and insert:

(i) *“Dedicated increment value” means the increase in assessed value within a defined geographic area used to determine a tax increment amount to be paid to a redevelopment trust fund pursuant to s. 163.387(2)(a) or to be paid or applied pursuant to an ordinance, resolution, or agreement to fund a project or to finance essential infrastructure. Upon creating any obligation for payment to a redevelopment trust fund or otherwise pursuant to an ordinance, resolution, or agreement to fund a project or to finance essential infrastructure based on an increase in assessed value, the taxing authority shall certify to the property appraiser the boundaries of the designated geographic area, the date of the most recent assessment roll used in connection with the taxation of such property prior to creation of the obligation, the percentage of the increase in assessed value subject to the obligation, the term of the obligation, and all other information necessary to compute the dedicated increment value. Information provided to the property appraiser after May 1 of any year may not be used for the current year’s certification.*

Section 2. Section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(1) Upon completion of the assessment of all property pursuant to s. 193.023, the property appraiser shall certify to each taxing authority the taxable value within the jurisdiction of the taxing authority. This certification shall include a copy of the statement required to be submitted under s. 195.073(3), as applicable to that taxing authority. The form on which the certification is made shall include instructions to each taxing authority describing the proper method of computing a millage rate which, exclusive of new construction, additions to structures, deletions, increases in the value of improvements that have undergone a substantial rehabilitation which increased the assessed value of such improvements by at least 100 percent, and property added due to geographic boundary changes, and any dedicated increment value, will provide the same ad valorem tax revenue for each taxing authority as was levied during the prior year, less the amount, if any, paid or applied as a consequence of an obligation payment measured by a dedicated increment value. That millage rate shall be known as the “rolled-back rate.” The property appraiser shall also include instructions, as prescribed by

the Department of Revenue, to each county and municipality, and to each special district dependent on a county or municipality, describing the proper method of computing the millage rates specified in subsection (5). The Department of Revenue shall prescribe the instructions and forms that are necessary to administer this section. The information provided pursuant to this subsection shall also be sent to the tax collector by the property appraiser at the time it is sent to each taxing authority.

And the directory clause is amended as follows:

On page 2, delete line 6 and insert:

Section 1. Paragraphs (h) and (i) are added to subsection (8) of

And the title is amended as follows:

On page 1, lines 3-5, delete those lines and insert: amending s. 200.001, F.S.; defining the terms “per capita Florida personal income” and “dedicated increment value”; amending s. 200.065, F.S.; providing that the rolled-back millage rate excludes the amount paid or applied as a consequence of an obligation payment measured by a dedicated increment value; requiring that the property

**Amendment 2 (831720)(with title amendment)**—On page 5, line 16 through page 8, line 28, delete those lines and insert:

(d) *If the tentative budget prepared by the governing body of a county, municipality, or dependent district, as defined in s. 189.403(2), for the 2009-2010 fiscal year or thereafter results in a millage rate in excess of the rate calculated under paragraph (5)(c), a second public hearing on the tentative budget must be held within the time period identified in paragraph (c). This meeting must meet the same conditions required under paragraph (c), except that it may not be held on the same day of the week as the meeting required under paragraph (c) and shall be held before 5 p.m.*

(e)(d) Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county as provided in subsection (3), its intent to finally adopt a millage rate and budget. If a second meeting is held pursuant to paragraph (d), the county or municipality shall advertise its intent within 15 days before the second meeting. A public hearing to finalize the budget and adopt a millage rate shall be held not less than 2 days or more than 5 days after the day that the advertisement is first published. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution or ordinance stating the millage rate to be levied. The resolution or ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate computed pursuant to subsection (1), which shall be characterized as the percentage increase in property taxes adopted by the governing body. The adoption of the budget and the millage-levy resolution or ordinance shall be by separate votes. For each taxing authority levying millage, the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate to be levied shall be publicly announced prior to the adoption of the millage-levy resolution or ordinance. In no event may the millage rate adopted pursuant to this paragraph exceed the millage rate tentatively adopted pursuant to paragraph (c). If the rate tentatively adopted pursuant to paragraph (c) exceeds the proposed rate provided to the property appraiser pursuant to paragraph (b), or as subsequently adjusted pursuant to subsection (11) (10), each taxpayer within the jurisdiction of the taxing authority shall be sent notice by first-class mail of his or her taxes under the tentatively adopted millage rate and his or her taxes under the previously proposed rate. The notice must be prepared by the property appraiser, at the expense of the taxing authority, and must generally conform to the requirements of s. 200.069. If such additional notice is necessary, its mailing must precede the hearing held pursuant to this paragraph by not less than 10 days and not more than 15 days.

(f)(e)1. In the hearings required pursuant to paragraphs (c), and (d), and (e), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The governing body shall adopt

its tentative or final millage rate prior to adopting its tentative or final budget.

2. These hearings shall be held after 5 p.m. if scheduled on a day other than Saturday. No hearing shall be held on a Sunday. The county commission shall not schedule its hearings on days scheduled for hearings by the school board. The hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings. A multicounty taxing authority shall make every reasonable effort to avoid scheduling hearings on days utilized by the counties or school districts within its jurisdiction. Tax levies and budgets for dependent special taxing districts shall be adopted at the hearings for the taxing authority to which such districts are dependent, following such discussion and adoption of levies and budgets for the superior taxing authority. A taxing authority may adopt the tax levies for all of its dependent special taxing districts, and may adopt the budgets for all of its dependent special taxing districts, by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a dependent special taxing district be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately. If, due to circumstances beyond the control of the taxing authority, the hearing provided for in paragraph (e) (4) is recessed, the taxing authority shall publish a notice in a newspaper of general paid circulation in the county. The notice shall state the time and place for the continuation of the hearing and shall be published at least 2 days but not more than 5 days prior to the date the hearing will be continued.

(g)(4)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget in a newspaper of general circulation pursuant to subsection (3) within 29 days after of certification of value pursuant to subsection (1). Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c).

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days after of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (e) (4) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days after of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (e) (4), except that a newspaper advertisement need not precede the hearing.

(h)(g) Notwithstanding other provisions of law to the contrary, a taxing authority may:

1. Expend moneys based on its tentative budget after adoption pursuant to paragraph (c) and until such time as its final budget is adopted pursuant to paragraph (e) (4), only if the

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: requiring an additional tentative budget hearing for a county, municipality, or dependent special district whose tentative budget results in a millage rate in excess of the rate calculated under s. 200.065(5)(c), F.S.;

**Amendment 3 (310674)**—On page 16, line 11 through page 17, line 27, delete those lines and insert:

(5)(a) *The maximum millage rate that a county or municipality, or a special district dependent on a county or municipality, may levy for the 2007-2008 fiscal year is the greater of:*

1. *The rate that will provide ad valorem tax revenue calculated as follows:*

a. *Ad valorem taxes levied against the 2005 tax roll adjusted to the amount that would have been levied against the 2006 tax roll at the 2006 rolled-back rate and further adjusted by the annual percentage change in per capita Florida personal income in the 2005 calendar year or the*

*actual ad valorem taxes levied for the 2006-2007 fiscal year, whichever is less.*

b. *The amount in sub-subparagraph a. further adjusted to the amount that would result from levying the 2007 rolled-back rate based on the amount calculated in sub-subparagraph a., and further adjusted by the annual percentage change in per capita Florida personal income in the 2006 calendar year; or*

2. *The rate that will provide the same ad valorem tax revenue as was levied in the 2006-2007 fiscal year.*

(b) *The maximum millage rate that a county or municipality, or a special district dependent on a county or municipality, may levy for the 2008-2009 fiscal year is the greater of:*

1. *The rolled-back rate based on the previous year's maximum millage rate; or*

2. *Eighty-five percent of the rate that will provide the ad valorem tax revenue that would be raised by applying the millage rate for the 2006-2007 fiscal year to the 2008 tax roll.*

(c) *Beginning in the 2009-2010 fiscal year, the maximum millage rate that a county or municipality, or a special district dependent on a county or municipality, may levy is the rolled-back rate based on the previous year's maximum millage rate, adjusted for growth in per capita Florida personal income, unless a higher rate is approved by a two-thirds vote of the governing body of the county or municipality or approved by a referendum of the voters, in which case the higher rate shall be the maximum rate.*

*Voted millage as defined in this chapter and taxes levied by a municipality or municipal services taxing unit that has levied ad valorem taxes for less than 5 years are not subject to the limitation on millage rates provided by this subsection.*

**Amendment 4 (662484)(with title amendment)**—On page 23, line 12 through page 24, line 19, delete those lines and insert:

(13)(12)(a) Any taxing authority in violation of this section, other than subsection (5), shall be subject to forfeiture of state funds otherwise available to it for the 12 months following a determination of noncompliance by the Department of Revenue appropriate state agency.

(b) Within 30 days after of the deadline for certification of compliance required by s. 200.068, the department shall notify any taxing authority in violation of this section, other than subsection (5), that it is subject to paragraph (c). Except for revenues from voted levies or levies imposed pursuant to s. 1011.60(6), the revenues of any taxing authority in violation of this section, other than subsection (5), collected in excess of the rolled-back rate shall be held in escrow until the process required by paragraph (c) is completed and approved by the department. The department shall direct the tax collector to so hold such funds.

(c) Any taxing authority so noticed by the department shall repeat the hearing and notice process required by paragraph (2)(d), except that:

1. The advertisement shall appear within 15 days of notice from the department.

2. The advertisement, in addition to meeting the requirements of subsection (3), shall contain the following statement in boldfaced type immediately after the heading:

**THE PREVIOUS NOTICE PLACED BY THE (name of taxing authority) HAS BEEN DETERMINED BY THE DEPARTMENT OF REVENUE TO BE IN VIOLATION OF THE LAW, NECESSITATING THIS SECOND NOTICE.**

3. The millage newly adopted at this hearing shall not be forwarded to the tax collector or property appraiser and may not exceed the rate previously adopted.

4. If the newly adopted millage is less than the amount previously forwarded pursuant to subsection (4), any moneys collected in excess of the new levy shall be held in reserve until the subsequent fiscal year and shall then be utilized to reduce ad valorem taxes otherwise necessary.

(d) Any county, municipality, or special district dependent thereon that is in violation of subsection (5) is subject to forfeiture of the allocation

of the local government half-cent sales tax revenues during the 12 months following a determination of noncompliance by the Department of Revenue as described in s. 218.63(3) and this subsection. A county or municipality is subject to this forfeiture of the allocation of local government half-cent sales tax revenues in the event of such noncompliance with subsection (5) by any special district dependent on the county or municipality. If any county, municipality, or special district dependent thereon is in violation of subsection (5), the department and the county, municipality, or special district shall follow the procedures set forth in paragraphs (b) and (c).

And the title is amended as follows:

On page 1, line 16, after the semicolon (;) insert: providing that a county, municipality, or county or municipality of a dependent special district is subject to forfeiture of the allocation of the local government half-cent sales tax revenues for 12 months if it is determined to be in noncompliance with certain provisions;

**Amendment 5 (261098)(with title amendment)**—On page 25, line 27 through page 26, line 3, delete those lines and insert:

Section 3. Section 200.068, Florida Statutes, is amended to read:

200.068 Certification of compliance with this chapter.—Not later than 30 days following adoption of an ordinance or resolution establishing a property tax levy, each taxing authority shall certify compliance with the provisions of this chapter to the Department of Revenue. In addition to a statement of compliance, such certification shall include a copy of the ordinance or resolution so adopted; a copy of the certification of value showing rolled-back millage and proposed millage rates, as provided to the property appraiser pursuant to s. 200.065(1) and (2)(b); and maximum millage rates calculated pursuant to s. 200.065(5), together with values and calculations upon which the maximum millage rates are based, which shall be shown on the same certification of value; and a certified copy of the advertisement, as published pursuant to s. 200.065(3). In certifying compliance, the governing body of the county shall also include a certified copy of the notice required under s. 194.037. However, if the value adjustment board completes its hearings after the deadline for certification under this section, the county shall submit such copy to the department not later than 30 days following completion of such hearings.

Section 4. Subsection (3) is added to section 218.63, Florida Statutes, to read:

218.63 Participation requirements.—

(3) If a county or municipality, or a special district dependent on a county or municipality, in any year levies a millage rate in excess of the maximum millage rate allowed for that year under s. 200.065(5), that county or municipality, or the county or municipality on which a special district is dependent if the dependent special district levies a rate in excess of the maximum millage rate allowed for such year, may not participate in the allocation of local government half-cent sales tax revenues during the 12 months following a determination of noncompliance by the Department of Revenue as provided in s. 200.065(13).

And the title is amended as follows:

On page 1, lines 17-22, delete those lines and insert: 200.068, F.S.; requiring the taxing authority to include certain specified information relating to maximum millage rates in the certification of value; amending s. 218.63, F.S.; providing that if a county or municipality, or a special district dependent on a county or municipality, levies a millage rate in excess of the maximum millage rate permitted by law for that year, the county, municipality, or county or municipality of the dependent district, may not participate in the allocation of local government half-cent sales tax revenues; amending ss. 192.0105, 193.1142,

**Amendment 6 (580602)(with title amendment)**—On page 30, between lines 4 and 5, insert:

Section 10. The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other provision of law, such emergency rules shall remain in effect for 6 months after the date of adoption and may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 2, after the semicolon (;) insert: authorizing the Department of Revenue to adopt emergency rules;

Pursuant to Rule 4.19, **CS for SB 1020** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Atwater—

**CS for SJR 3034**—A joint resolution proposing amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution, to authorize an exemption from ad valorem taxation for tangible personal property, to authorize portability of the limitation in the difference between the just value and the assessed value for homestead property, to create an additional homestead exemption for first-time homestead property owners, and to provide an effective date if such amendments are adopted.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SJR 3034** was placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

**CS for SB 1022**—A bill to be entitled An act relating to affordable housing; amending s. 193.017, F.S.; requiring appraisers to use an income approach when assessing affordable housing property that has a low-income tax credit; creating s. 193.018, F.S.; providing for the just valuation of affordable housing property; requiring property appraisers to use an income approach when assessing such property; specifying the kinds of property subject to the assessment; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1022** was placed on the calendar of Bills on Third Reading.

By Senator Atwater—

**CS for CS for SB 560**—A bill to be entitled An act relating to local governments; amending s. 73.071, F.S.; requiring that the value of the expected future tax benefits for homestead property be compensated for in an eminent domain taking; creating s. 73.0725, F.S.; requiring the condemning authority in an eminent domain taking to determine the present value of the expected future tax benefit for homestead property; amending s. 193.011, F.S.; clarifying the standard for determining highest and best use for purposes of deriving the just value of property; amending s. 195.052, F.S.; specifying data to be used for tabulating property value and taxation including information concerning ad valorem taxes and millage rates; requiring that such data be reported to the Department of Revenue for publication on the department's website and all property appraiser websites, if available; amending s. 200.069, F.S.; requiring that the notice of proposed property taxes mailed to taxpayers include the county government's official website address; requiring the electronic reporting of local government revenue and expenditure data; requiring the reporting of local government budgets; requiring the electronic reporting of local government contracts; providing for a study by legislative staff and a report; providing an appropriation; providing an effective date.

—was read the second time by title.

## MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment which was adopted:

**Amendment 1 (194808)(with title amendment)**—On page 3, between lines 25 and 26, insert:

Section 3. Paragraph (d) of subsection (3) of section 163.31801, Florida Statutes, is amended to read:

163.31801 Impact fees; short title; intent; definitions; ordinances levying impact fees.—

(3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:

(d)1. Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or amended impact fee.

2. A county, municipality, or special district seeking to amend an ordinance or resolution to increase an existing impact fee must hold three public hearings concerning the amendment before the notice required under subparagraph 1. is provided. One of the public hearings must be held on a weekday evening.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 10, after the first semicolon (;) insert: amending s. 163.31801, F.S.; requiring that a county, municipality, or special district hold certain public hearings before adopting an ordinance or resolution increasing an impact fee;

MOTION

On motion by Senator Atwater, the rules were waived to allow the following amendment to be considered:

Senator Atwater moved the following amendment which was adopted:

Amendment 2 (234400)—On page 16, delete line 10 and insert: exempt from this section. The contracts shall be posted within 30 days of execution in

Pursuant to Rule 4.19, CS for CS for SB 560 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

SENATOR LAWSON PRESIDING

HB 547—A bill to be entitled An act relating to employment requirements for law enforcement personnel; amending s. 943.13, F.S.; revising the presumption of disability for certain law enforcement, correctional, and correctional probation officers; amending s. 943.137, F.S.; authorizing an agency that employs law enforcement personnel to establish tobacco-use standards; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, HB 547 was passed and certified to the House. The vote on passage was:

Yeas—36

Table listing names of senators voting 'Yeas' for HB 547: Mr. President, Alexander, Argenziano, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Deutch, Dockery, Fasano, Gaetz, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Rich, Ring, Saunders, Siplin, Villalobos, Webster, Wilson, Wise.

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

CS for CS for SB 1972—A bill to be entitled An act relating to the leasing of private property by state agencies; amending s. 255.248, F.S.; defining terms; amending s. 255.249, F.S.; requiring the Department of Management Services to develop a strategic leasing plan; removing the expiration of provisions requiring that the department annually submit a master leasing report to the Governor and the Legislature concerning leases that are due to expire and amendments and supplements to and waivers of the terms and conditions of lease agreements; requiring state agencies to provide information concerning space needs to the Department of Management Services; requiring that the Department of Management Services adopt rules for soliciting and accepting competitive solicitations for certain leased space, for exempting the lease of care and living space or emergency space from competitive-solicitation requirements, for securing at least three quotes for a lease that is not required to be competitively solicited and for providing information regarding space needs to the Department of Management Services; removing the expiration of provisions requiring that specified clauses, which may not be amended, supplemented, or waived, be included in the terms and conditions of a lease; authorizing the Department of Management Services to contract for services in carrying out the strategic leasing plan; amending s. 255.25, F.S.; requiring state agencies to consult with the Department of Management Services concerning use of space; removing the expiration of provisions requiring that the department approve the terms of a lease by a state agency; requiring an analysis if the department approves an amendment or supplement to or waiver of a term or condition of a lease agreement; prohibiting a state agency from entering into certain leases of space in a privately owned building except upon advertisement for and receipt of competitive solicitations; providing exceptions; providing requirements for the use of invitations to bid, requests for proposals, and invitations to negotiate; providing criteria for awarding contracts; providing criteria for protesting an agency decision or intended decision pertaining to a competitive solicitation for leased space; providing criteria for the Department of Management Services to use when determining the state's best interest and when approving leases of 5,000 square feet or more; authorizing state agencies to use the services of a tenant broker under specified circumstances; authorizing the Department of Management Services to procure a state term contract for real estate consulting and brokerage services; removing the expiration of provisions providing legislative intent with respect to the use of state-owned buildings; requiring that the department create a plan for fully using such buildings before leasing private buildings; requiring an annual report to the Legislature and the Governor; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, CS for CS for SB 1972 was passed and certified to the House. The vote on passage was:

Yeas—35

Table listing names of senators voting 'Yeas' for CS for CS for SB 1972: Mr. President, Alexander, Argenziano, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Deutch, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Posey, Rich, Ring, Saunders, Siplin, Villalobos, Wilson, Wise.

Nays—None

Vote after roll call:

Yea—Peaden, Webster

CS for SB 1976—A bill to be entitled An act relating to the competitive solicitation of contracts; amending s. 287.057, F.S.; requiring that

additional types of contracts by state agencies be procured by competitive solicitation; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 1976** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Argenziano	Garcia	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Baker	Hill	Saunders
Bennett	Jones	Siplin
Bullard	Joyner	Villalobos
Carlton	Justice	Webster
Constantine	King	Wilson
Crist	Lawson	Wise
Deutch	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

**CS for CS for SB 2052**—A bill to be entitled An act relating to environmental protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Florida Wildflower Foundation, Inc.; specifying uses of the proceeds; requiring that such proceeds be distributed to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; encouraging additional counties to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for litter reduction and a litter survey; deleting the provisions relating to the Wildflower Advisory Council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; prohibiting the regulation of industrial byproducts under certain circumstances; conforming a cross-reference; clarifying provisions governing dredged material; amending s. 403.705, F.S., relating to the state solid waste management program; conforming a cross-reference; amending s. 403.7061, F.S.; authorizing the Department of Environmental Protection to initiate rulemaking regarding waste-to-energy facilities; deleting a requirement to initiate such rulemaking; amending s. 403.707, F.S.; authorizing the Department of Environmental Preservation to exempt certain facilities from the requirement for a permit; authorizing the department to include certain licenses in a permit; deleting certain obsolete provisions; removing a requirement concerning groundwater monitoring of certain facilities; extending the time period for a public hearing when a local government seeks to exempt certain material from the definition of construction and demolition debris; specifying conditions, following the transfer of ownership or control of a solid waste facility, which must be met before the transferee may operate the facility; specifying criteria concerning an application to the Department of Environmental Protection to transfer an operating permit for a solid waste facility; specifying responsibilities for complying with permit requirements, including financial-assurance requirements, when ownership or control of a solid waste facility is transferred; authorizing rulemaking by the department; creating s. 403.7071, F.S.; providing for the management and disposal of certain storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees for litter prevention and

control; providing for expiration and enforcement of a lien on real property concerning compliance with waste-tire requirements; amending s. 403.7095, F.S., relating to the solid waste management grant program; specifying what constitutes an innovative grant; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law; clarifying requirements concerning financial assurance for closure of a landfill; amending s. 403.716, F.S.; deleting provisions relating to the training and employment of certain facility operators; amending s. 403.717, F.S.; clarifying provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; authorizing issuance of such a permit to a hazardous waste management facility; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; providing for operation or closure of certain existing facilities that must, due to a rule change, be permitted as hazardous waste facilities; amending s. 403.7226, F.S.; deleting a requirement to submit an annual state assessment concerning needs for hazardous waste management; amending s. 403.724, F.S.; clarifying certain financial-assurance provisions; amending s. 403.7255, F.S.; revising requirements regarding signs to notify the public about hazardous waste contamination of certain sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; deleting provisions requiring a statewide local hazardous waste management plan; requiring a local government to provide matching funds for grants concerning conditionally exempt or household hazardous waste under certain conditions; repealing s. 403.7075, F.S., relating to the submission of a plan or application for certain permits for a solid waste management facility; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing s. 403.7895, F.S., relating to permitting and a certification of need for a commercial hazardous waste incinerator; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, and 403.7893, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for CS for SB 2052** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Argenziano	Garcia	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Baker	Hill	Saunders
Bennett	Jones	Siplin
Bullard	Joyner	Villalobos
Carlton	Justice	Webster
Constantine	King	Wilson
Crist	Lawson	Wise
Deutch	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

Consideration of **CS for SB 1488** was deferred.

**HB 7085**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2007, and July 1, 2008; providing an effective date.

—as amended April 18 was read the third time by title.

On motion by Senator Gaetz, **HB 7085** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Argenziano	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

MOTIONS

On motion by Senator Carlton, the House was requested to concur in the Senate amendment to **HB 7085** and pass the bill as amended; and, in the event the House refuses to concur, moved that **HB 7085** be considered by the Conference Committee on Appropriations.

**SB 1452**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 36, ch. 2001-140, Laws of Florida, relating to the authority of a local government to conduct audits for the purpose of ensuring compliance with respect to the public service tax; repealing s. 166.236, F.S., relating to a public-records exemption for information received by a taxing authority in connection with such an audit; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **SB 1452** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Argenziano	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

**CS for SB 656**—A bill to be entitled An act relating to local business taxes; amending s. 205.0535, F.S.; authorizing certain municipalities to reclassify businesses and occupations and establish new business tax rates before a specified date; providing that ch. 205, F.S., does not prohibit a municipality or county from decreasing or repealing a local business tax; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for SB 656** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Atwater	Carlton
Alexander	Baker	Constantine
Argenziano	Bennett	Crist
Aronberg	Bullard	Deutch

Diaz de la Portilla	Joyner	Ring
Dockery	Justice	Saunders
Fasano	King	Siplin
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	
Jones	Rich	

Nays—None

Vote after roll call:

Yea—Lawson

**CS for SB 1178**—A bill to be entitled An act relating to local business taxes; amending s. 205.053, F.S.; revising the date for beginning the annual sale of local business tax receipts; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for SB 1178** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Argenziano	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Villalobos
Constantine	Joyner	Webster
Crist	Justice	Wilson
Dawson	King	Wise
Deutch	Lynn	

Nays—None

Vote after roll call:

Yea—Lawson

**CS for CS for SB 668**—A bill to be entitled An act relating to surplus state lands; amending s. 253.034, F.S.; providing for reconveyance of certain state lands to certain fair associations under specified circumstances; authorizing agencies last holding a lease of such lands to remove improvements, fixtures, goods, wares, and merchandise from such lands within a time certain after reconveyance; providing for expiration; providing an effective date.

—was read the third time by title.

On motions by Senator Fasano, **CS for CS for SB 668** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Argenziano	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders

Siplin	Webster	Wise
Villalobos	Wilson	
Nays—None		

Consideration of **CS for SB 1776**, **CS for SB 464** and **SB 1950** was deferred.

**CS for CS for SB 1270**—A bill to be entitled An act relating to education; amending s. 20.055, F.S.; revising a definition; amending s. 20.15, F.S.; deleting the Division of Colleges and Universities in the Department of Education; requiring the department to provide certain support services to the Board of Governors of the State University System; creating s. 20.155, F.S., relating to the Board of Governors; providing for certain rights and privileges, the head of the board, personnel, certain powers and duties, and an Office of Inspector General; amending s. 23.21, F.S., relating to definitions for purposes of paperwork reduction; updating terminology; amending s. 110.131, F.S., relating to other personal-services temporary employment; updating terminology; amending s. 110.181, F.S., relating to the Florida State Employees' Charitable Campaign; conforming a cross-reference; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting obsolete provisions; amending s. 112.19, F.S., relating to death benefits for certain officers; updating terminology; requiring the Board of Governors to adopt rules; amending s. 112.191, F.S., relating to death benefits for firefighters; updating terminology; requiring the Board of Governors to adopt rules; amending s. 112.313, F.S., relating to standards of conduct; revising definition of "employee" to include provosts; updating terminology; amending s. 112.3135, F.S., relating to restriction on employment of relatives; updating terminology; amending s. 112.3145, F.S., relating to disclosure of financial interests and clients represented before agencies; updating terminology; amending s. 120.52, F.S., relating to definitions for purposes of the Administrative Procedure Act; revising definition of "agency" to include the Board of Governors and state university boards of trustees under certain circumstances; revising definition of "educational unit"; amending s. 120.65, F.S.; including the Board of Governors in the list of entities that must reimburse the Division of Administrative Hearings for certain services and travel expenses; amending s. 121.021, F.S., relating to definitions for purposes of the Florida Retirement System; updating terminology; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; transferring authority from the State Board of Education to the Board of Governors; updating terminology and provisions; amending s. 159.703, F.S., relating to creation of research and development authorities; updating terminology and an effective date; amending s. 159.704, F.S., relating to research and development authorities; updating terminology; amending s. 159.706, F.S.; including research and development authorities designated by the Board of Regents in a grandfather clause; amending s. 211.3103, F.S., relating to distribution of the tax levy on severance of phosphate rock; updating terminology; amending s. 215.16, F.S., relating to appropriations from the General Revenue Fund; deleting unnecessary language; amending s. 215.32, F.S., relating to segregation of trust funds; including trust funds under the management of the Board of Governors; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; updating terminology; deleting obsolete terminology; conforming cross-references; amending s. 215.82, F.S., relating to validation of bonds; conforming a cross-reference; amending s. 216.0152, F.S., relating to inventory of facilities; updating terminology; amending s. 216.251, F.S., relating to salary appropriations; deleting reference to the State Board of Education with respect to State University System positions; amending s. 220.15, F.S., relating to apportionment of adjusted federal income; updating terminology; amending s. 250.10, F.S.; providing duties of the Board of Governors in cooperation with the Adjutant General and the State Board of Education; amending s. 253.381, F.S., relating to the sale of unsurveyed marshlands; deleting reference to the State Board of Education; amending s. 255.02, F.S., relating to boards authorized to replace buildings destroyed by fire; deleting obsolete terminology; amending s. 255.043, F.S., relating to art in state buildings; deleting obsolete terminology; amending s. 255.102, F.S.; requiring the Board of Governors to collaborate in the adoption of rules for contractor compliance with minority business participation; amending s. 280.02, F.S.; revising definition of "public deposit" to include moneys of a state university; amending s. 286.001, F.S., relating to statutorily required reports; updating terminology; amending s. 287.064, F.S., relating to consolidated financing of deferred payment purchases; conforming a cross-reference; amending s. 287.155,

F.S., relating to purchase of motor vehicles; updating terminology; amending s. 288.15, F.S.; adding the Board of Governors to the list of entities authorized to cooperate with the Division of Bond Finance; amending s. 288.17, F.S., relating to revenue certificates; updating terminology; amending s. 288.705, F.S.; updating terminology; amending s. 288.7091, F.S.; requiring the Florida Black Business Investment Board to develop memoranda of understanding with the Board of Governors; amending s. 288.8175, F.S.; requiring a linkage institute to be governed by an agreement between the Board of Governors and the State Board of Education; amending s. 295.07, F.S., relating to preference in appointment and retention for veterans; including certain equivalent positions; amending s. 320.08058, F.S., relating to specialty license plates; updating terminology; amending s. 334.065, F.S.; updating terminology; amending s. 377.705, F.S.; updating terminology; amending s. 381.79, F.S., relating to the Brain and Spinal Cord Injury Program Trust Fund; updating terminology; amending s. 388.43, F.S.; updating terminology; amending s. 403.073, F.S., relating to pollution prevention; updating terminology; amending s. 403.074, F.S., relating to technical assistance by the Department of Environmental Protection; updating terminology; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; updating terminology; amending s. 413.051, F.S., relating to blind persons eligible to operate vending stands; updating terminology; amending s. 447.203, F.S.; designating the Board of Governors, or the board's designee, as the public employer and legislative body with respect to public employees of state universities; revising definition of "legislative body" to conform; amending s. 455.2125, F.S., relating to adoption of changes to training requirements; updating terminology; amending s. 456.028, F.S., relating to adoption of changes to training requirements; updating terminology; amending s. 464.0196, F.S., relating to nurse educator appointments; prescribing appointing authorities for the Florida Center for Nursing board; amending s. 489.103, F.S., relating to exemptions for purposes of construction contracting; updating terminology; amending s. 489.503, F.S., relating to exemptions for purposes of electrical and alarm system contracting; updating terminology; amending s. 553.71, F.S., relating to definitions for purposes of the Florida Building Code; conforming terminology relating to education boards; amending ss. 627.06281 and 627.06292, F.S., relating to hurricane loss data; updating terminology; amending s. 633.01, F.S., relating to the State Fire Marshal; conforming cross-references; amending s. 650.03, F.S., relating to federal-state agreement; updating terminology; amending s. 943.1755, F.S., relating to the Florida Criminal Justice Executive Institute; updating terminology; amending s. 1000.01, F.S.; providing for certain transfers; amending s. 1000.03, F.S., relating to the function, mission, and goals of the Florida K-20 education system; deleting duplicative provisions; limiting oversight authority over state university matters to the Board of Governors; amending s. 1000.05, F.S.; assigning responsibilities for implementation of equal opportunity policies to the Commissioner of Education and State Board of Education and to the Board of Governors; limiting the functions of the Office of Equal Educational Opportunity to those relating to school districts and community colleges; amending s. 1000.21, F.S.; defining "Board of Governors" as used in the education code; amending s. 1001.02, F.S.; revising powers and duties of the State Board of Education to include working in consultation with the Board of Governors on certain matters; providing for exceptions; prohibiting the State Board of Education from amending a specified budget request; prohibiting the State Board of Education from amending a list of specified fixed capital outlay requests; deleting certain responsibilities relating to state universities; revising reporting requirements relating to financial aid; conforming provisions; amending s. 1001.03, F.S.; providing exceptions regarding State Board of Education enforcement authority; requiring working in conjunction with the Board of Governors on certain matters; deleting State Board of Education review of state university academic programs; amending s. 1001.10, F.S.; providing duties of the Commissioner of Education relating to expenditures of the Board of Governors in the K-20 budget; revising reporting requirements; amending s. 1001.11, F.S.; requiring the Commissioner of Education to work with the Board of Governors for allocation of funds for qualified postsecondary projects; requiring annual reporting by the Commissioner of Education; conforming provisions; amending s. 1001.20, F.S.; transferring responsibilities regarding determination of need for investigations of state universities by the Office of Inspector General; amending s. 1001.28, F.S.; providing that Department of Education distance learning duties do not alter duties of the Board of Governors; amending s. 1001.64, F.S., relating to powers and duties of community college boards of trustees; conforming a cross-reference; amending s. 1001.70, F.S.; providing authority of the Board of Governors; authorizing travel and per diem; creating s. 1001.706, F.S., relating to powers

and duties of the Board of Governors; providing for rulemaking; providing powers and duties relating to organization and operation of state universities, finance, accountability, personnel, property, compliance with laws and rules, and cooperation with other education boards; prohibiting assessment of a fee on universities; amending s. 1001.71, F.S.; providing that the university boards of trustees are part of the executive branch of state government; deleting certain board member requirements; amending s. 1001.72, F.S., relating to university boards of trustees acting as corporations; amending s. 1001.73, F.S., relating to university boards acting as trustees; transferring responsibilities of the State Board of Education to the Board of Governors; subjecting agreements to requirements for the issuance of bonds and debt; amending s. 1001.74, F.S.; revising powers and duties of university boards of trustees relating to general provisions for responsibility, organization and operation of state universities, finance, accountability, personnel, property, and compliance with laws and rules; amending s. 1002.35, F.S.; requiring the State Board of Education to work in conjunction with the Board of Governors regarding assignment of a university partner to the New World School of the Arts; updating terminology; amending s. 1002.41, F.S., relating to home education programs; conforming provisions; amending s. 1004.03, F.S.; transferring responsibilities for approval of new programs at state universities from the State Board of Education to the Board of Governors; amending s. 1004.04, F.S., relating to accountability and approval for teacher preparation programs; including the Board of Governors as a report recipient; amending s. 1004.07, F.S., relating to student withdrawal from courses due to military service; providing for rules by the State Board of Education and Board of Governors; amending s. 1004.21, F.S.; removing legislative intent regarding state universities; providing that state universities are part of the executive branch of state government and administered by a board of trustees; amending s. 1004.22, F.S., relating to divisions of sponsored research at state universities; providing for guidelines of the Board of Governors; transferring responsibilities from the State Board of Education to the Board of Governors; amending s. 1004.24, F.S.; transferring responsibilities relating to securing liability insurance from the State Board of Education to the Board of Governors or the board's designee; amending s. 1004.28, F.S.; transferring responsibilities relating to duties of direct-support organizations from the State Board of Education to the Board of Governors; defining "property"; providing for rules; subjecting certain agreements to requirements for issuance of bonds and debt; amending s. 1004.29, F.S.; transferring responsibilities relating to university health services support organizations from the State Board of Education to the Board of Governors; providing for rules; amending s. 1004.35, F.S.; including the Board of Governors in consultations regarding coordination of course offerings; amending s. 1004.36, F.S.; transferring responsibilities relating to comprehensive master plans from the State Board of Education to the Board of Governors; amending s. 1004.39, F.S.; transferring responsibilities relating to the college of law at Florida International University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.40, F.S.; transferring responsibilities relating to the college of law at Florida Agricultural and Mechanical University from the State Board of Education to the Board of Governors; deleting obsolete provisions; amending s. 1004.41, F.S., relating to the J. Hillis Miller Health Center at the University of Florida; authorizing the University of Florida Board of Trustees to utilize certain revenues; amending s. 1004.43, F.S.; transferring responsibilities relating to the H. Lee Moffitt Cancer Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.435, F.S.; transferring responsibilities relating to cancer control from the State Board of Education to the Board of Governors; revising membership of the Florida Cancer Control and Research Council; amending s. 1004.445, F.S.; transferring responsibilities relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute from the State Board of Education to the Board of Governors; amending s. 1004.447, F.S.; requiring annual reporting to the Board of Governors; amending s. 1004.47, F.S.; updating terminology relating to solid and hazardous waste management research; amending s. 1004.58, F.S.; including the Board of Governors as a report recipient; providing for the Chancellor of the State University System to serve as a member of the board and to staff the board; amending s. 1005.03, F.S., relating to the designation "college" or "university"; deleting obsolete terminology; amending s. 1005.06, F.S., relating to institutions not under the jurisdiction of the Commission for Independent Education; deleting obsolete terminology; amending s. 1005.22, F.S.; removing an obsolete reference; amending s. 1006.53, F.S.; removing references to State Board of Education rules for religious observances; amending s. 1006.60, F.S.; including rules of the Board of Governors relating to codes of conduct; amending s. 1006.61, F.S.; including policies

of the Board of Governors relating to disruptive student activities; amending s. 1006.62, F.S.; including rules of the Board of Governors relating to expulsion and discipline of students; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt rules for state universities relating to safety issues; amending s. 1006.71, F.S., relating to gender equity in intercollegiate athletics; transferring responsibilities relating to state universities from the Commissioner of Education and State Board of Education to the Chancellor of the State University System and Board of Governors; adding the Legislature to the list of recipients of annual assessments; amending s. 1007.01, F.S.; requiring recommendations to the Legislature relating to articulation; amending s. 1007.22, F.S.; encouraging boards to establish programs to maximize articulation; amending s. 1007.23, F.S.; requiring the State Board of Education and the Board of Governors to enter into a statewide articulation agreement which addresses certain issues; revising provisions relating to admissions; amending s. 1007.24, F.S., relating to the statewide course numbering system; requiring the Commissioner of Education in conjunction with the chancellor, to perform certain duties; requiring the Department of Education in conjunction with the Board of Governors to perform certain duties; requiring the State Board of Education to approve course level with input from the Board of Governors; amending s. 1007.25, F.S., relating to general education courses, common prerequisites, and other degree requirements; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.2615, F.S., relating to acceptance of American Sign Language credits as foreign language credits; conforming provisions; amending s. 1007.262, F.S., relating to foreign language competence and equivalence determinations; conforming provisions; providing an exemption; amending s. 1007.264, F.S., relating to admission of impaired and learning disabled persons to postsecondary educational institutions; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.265, F.S., relating to graduation, study program admission, and upper-division entry for impaired and learning disabled persons; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1007.27, F.S., relating to articulated acceleration mechanisms and the statewide articulation agreement; conforming provisions; deleting obsolete provisions; amending s. 1007.28, F.S.; transferring requirement for establishment and maintenance of a computer-assisted student advising system from the State Board of Education to the Department of Education in conjunction with the Board of Governors; requiring the State Board of Education and the Board of Governors to specify roles and responsibilities relating to the system; amending s. 1007.33, F.S., relating to site-determined baccalaureate degree access; conforming provisions; amending s. 1008.29, F.S., relating to the college-level communication and mathematics skills examination (CLAST); requiring the State Board of Education in conjunction with the Board of Governors to establish minimum passing scores and identify coursework to satisfy testing requirements; authorizing the Board of Governors to set certain examination fees; amending s. 1008.30, F.S., relating to common placement testing; requiring public postsecondary educational institutions to provide certain modifications for students with disabilities; requiring the State Board of Education in conjunction with the Board of Governors to specify certain college-preparatory requirements; amending s. 1008.32, F.S.; limiting State Board of Education oversight enforcement authority to school districts and community colleges and their respective boards; amending s. 1008.345, F.S.; conforming provisions relating to implementation of the state system of school improvement and education accountability; requiring State Board of Education and Board of Governors approval of CLAST skills and certain assessments; including the Board of Governors as a recipient of certain information; amending s. 1008.37, F.S., relating to postsecondary feedback of information to high schools; removing State Board of Education rulemaking; requiring the Commissioner of Education to report to the Board of Governors; amending s. 1008.38, F.S., relating to the articulation accountability process; requiring the State Board of Education in conjunction with the Board of Governors to establish an articulation accountability process; amending s. 1008.45, F.S., relating to the community college accountability process; conforming provisions; amending s. 1008.46, F.S.; transferring responsibilities relating to the state university accountability process from the State Board of Education to the Board of Governors; amending s. 1009.01, F.S.; revising definition of "out-of-state fee"; amending s. 1009.21, F.S., relating to determination of resident status for tuition purposes; modifying State Board of Education rulemaking; authorizing rulemaking by the Board of Governors; amending s. 1009.24, F.S.; revising provisions relating to state university tuition and fees; providing guidelines and requirements for the establishment of fees and fines;

updating terminology; providing that a state university may not charge any fee except as specifically authorized by law; amending s. 1009.26, F.S.; transferring responsibilities relating to state university fee waivers from the State Board of Education to the Board of Governors; authorizing university boards of trustees to waive tuition and out-of-state fees under certain conditions; amending s. 1009.27, F.S., relating to deferral of fees; removing State Board of Education rulemaking; amending s. 1009.285, F.S., relating to fees for repeated enrollment in college-credit courses; deleting reference to definitions and fee levels established by the State Board of Education; amending s. 1009.29, F.S., relating to increased fees for funding financial aid programs; correcting a reference; amending s. 1009.40, F.S., relating to general requirements for student eligibility for state financial aid; conforming provisions relating to tuition assistance grants; amending s. 1009.90, F.S.; including the Board of Governors with respect to Department of Education duties relating to student financial aid; amending s. 1009.91, F.S.; requiring state university student loan information to be reported annually to the Board of Governors; amending s. 1009.971, F.S., relating to the Florida Prepaid College Board; updating terminology; amending s. 1010.01, F.S., relating to uniform records and accounts; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring a uniform classification of accounts; requiring state universities to file financial statements; amending s. 1010.011, F.S.; revising a definition for purposes of financial matters; amending s. 1010.02, F.S., relating to financial accounting and expenditure; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.04, F.S., relating to purchasing; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.07, F.S., relating to bonds and insurance; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.09, F.S., relating to direct-support organizations; transferring responsibilities relating to state universities from the State Board of Education to the Board of Governors; amending s. 1010.30, F.S., relating to audits; transferring supervision of state universities from the State Board of Education to the Board of Governors; amending s. 1011.01, F.S.; transferring budget responsibilities relating to state universities from the State Board of Education to the Board of Governors; requiring coordination; amending s. 1011.011, F.S.; requiring the State Board of Education in conjunction with the Board of Governors to submit legislative capital outlay budget requests for state universities; amending s. 1011.40, F.S.; transferring state university budget responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.41, F.S.; requiring compliance with certain tuition and fee policies for receipt of state university appropriations; amending s. 1011.4106, F.S.; providing requirements for the expenditure of tuition and fee revenues from local accounts; providing for deposit into the State Treasury under certain conditions; amending s. 1011.411, F.S., relating to budgets for sponsored research at universities; conforming a cross-reference; amending s. 1011.42, F.S., relating to university depositories; authorizing certain fund transfers; amending s. 1011.48, F.S.; transferring responsibilities for educational research centers for child development from the State Board of Education to the Board of Governors; amending s. 1011.82, F.S., relating to requirements for participation in the Community College Program Fund; conforming a cross-reference; amending s. 1011.90, F.S.; transferring state university funding responsibilities from the State Board of Education to the Board of Governors; amending s. 1011.91, F.S.; transferring certain responsibilities relating to additional appropriations; amending s. 1011.94, F.S.; redesignating the Trust Fund for University Major Gifts as the "University Major Gifts Program"; removing provisions relating to the trust fund; transferring responsibilities relating to the University Major Gifts Program from the State Board of Education to the Board of Governors; removing references to New College and the New College Foundation; amending s. 1012.01, F.S.; limiting definitions for purposes of personnel; amending s. 1012.80, F.S.; transferring responsibilities relating to employee disruptive activities at state universities from the State Board of Education to the Board of Governors; amending s. 1012.801, F.S., relating to State University System employees; updating terminology; amending s. 1012.93, F.S.; authorizing evaluation of faculty proficiency in English through a test approved by the Board of Governors; amending s. 1012.98, F.S.; deleting obsolete provisions relating to professional development programs; amending s. 1013.01, F.S.; excluding the Board of Governors from the definition of "board" for purposes of educational facilities; amending s. 1013.02, F.S.; transferring rulemaking authority relating to state university educational facilities from the State Board of Education to the Board of Governors; amending s. 1013.03, F.S.; providing functions of

the Board of Governors relating to state university educational facilities; revising provisions relating to submission of data; deleting obsolete provisions; amending s. 1013.11, F.S.; providing for the Chancellor of the State University System to receive reports; amending s. 1013.12, F.S.; requiring state university firesafety inspections to comply with rules of the Board of Governors; revising recipients of an annual report; amending s. 1013.15, F.S.; subjecting lease or lease-purchase agreements to requirements for issuance of bonds and debt; amending s. 1013.16, F.S.; subjecting leases executed by a university board of trustees to requirements for issuance of bonds and debt; amending s. 1013.17, F.S.; transferring responsibilities relating to university leasing in affiliated research and development parks from the State Board of Education to the Board of Governors; subjecting leases to requirements for issuance of bonds and debt; amending s. 1013.171, F.S.; authorizing each university board of trustees to enter into certain lease agreements; transferring systemwide strategic plan adoption responsibilities from the State Board of Education to the Board of Governors; subjecting agreements to requirements for issuance of bonds and debt; amending s. 1013.19, F.S.; subjecting certain contracts executed by a university board of trustees to requirements for the issuance of bonds and debt; amending s. 1013.25, F.S.; requiring approval of the Administration Commission to exercise the power of eminent domain; amending s. 1013.28, F.S.; requiring state university disposal of property according to rules of the Board of Governors or the Board of Trustees for the Florida School for the Deaf and the Blind; amending s. 1013.31, F.S.; providing Department of Education duties relating to educational plant surveys and PECO funding; removing State Board of Education rulemaking; updating terminology and making technical changes; requiring approval of state university educational plant surveys by the Board of Governors; amending s. 1013.46, F.S.; deleting State Board of Education rulemaking for prequalification of bidders; amending s. 1013.47, F.S.; including rules of the Board of Governors with respect to contracts for construction of educational facilities; amending s. 1013.52, F.S.; requiring the Board of Governors' or the Chancellor of the State University System's review and approval for state university joint-use facilities proposals; amending s. 1013.60, F.S.; requiring that state university capital outlay budget request information approved by the Board of Governors be submitted to the Commissioner of Education; amending s. 1013.64, F.S.; requiring the Board of Governors to submit a 3-year priority list for capital outlay projects for the universities; transferring responsibilities for state university funds for comprehensive educational plant needs from the State Board of Education to the Board of Governors; amending s. 1013.65, F.S.; requiring copies of capital outlay allocations to be provided to the Board of Governors; amending s. 1013.74, F.S.; deleting a cross-reference; transferring responsibilities relating to state university fixed capital outlay projects from the State Board of Education to the Board of Governors; subjecting projects to requirements for issuance of bonds and debt; amending s. 1013.78, F.S.; providing an exception relating to legislative approval for university-related facility acquisitions; authorizing the Board of Governors of the State University System to repeal certain rules; providing a requirement for the repeal of any such rules; repealing s. 186.805, F.S., relating to the Data Bank on Older Floridians; repealing s. 1004.54, F.S., relating to the Learning Development and Evaluation Center; repealing s. 741.03055, F.S., relating to review of premarital preparation courses, pilot programs, and questionnaire and curriculum; repealing s. 741.03056, F.S., relating to an informational questionnaire; repealing s. 1001.75, F.S., relating to powers and duties of state university presidents; repealing s. 1007.261, F.S., relating to state university admission of students; repealing s. 1007.31, F.S., relating to limited access programs; repealing s. 1007.32, F.S., relating to transfer students; repealing s. 1008.51, F.S., relating to the Council for Education Policy Research and Improvement; repealing s. 1011.4105, F.S., relating to transition from the state accounting system (FLAIR) to the university accounting system; repealing s. 1012.92, F.S., relating to personnel codes of conduct, disciplinary measures, and rulemaking authority; repealing s. 1012.94, F.S., relating to evaluations of faculty members; repealing s. 1012.95, F.S., relating to university employment equity accountability programs; requiring the Board of Governors and the university boards of trustees to repeal certain rules; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for CS for SB 1270** was passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Baker

Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Villalobos
Dockery	Lawson	Webster
Fasano	Lynn	Wilson
Gaetz	Margolis	Wise

Nays—None

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Consideration of **CS for SB 2866** was deferred.

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**CS for HB 77**—A bill to be entitled An act relating to child visitation; creating s. 39.0139, F.S.; providing a short title; providing legislative findings and intent; creating a presumption; providing for a hearing; providing conditions for visitation or other contact; providing additional considerations for visitation or other contact; amending ss. 39.402, 39.506, 39.509, and 39.521, F.S.; subjecting specified visitation orders to s. 39.0139, F.S.; creating s. 753.01, F.S.; providing definitions; creating s. 753.02, F.S.; providing responsibilities for the Clearinghouse on Supervised Visitation; authorizing the clearinghouse to apply for grants and accept private contributions; creating s. 753.03, F.S.; providing for the development of standards; providing membership of an advisory board; providing for reports; creating s. 753.04, F.S.; providing interim standards for supervised visitation programs; creating s. 753.05, F.S.; providing for referrals related to child sexual abuse; requiring a supervised visitation program to agree to comply with specified standards; repealing ss. 753.001, 753.002, and 753.004, F.S., relating to the Florida Family Visitation Network; providing a directive to the Division of Statutory Revision; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for HB 77** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

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**CS for SB 236**—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver's license; directing the Department of Children and Family Services to establish a pilot program in Sarasota, DeSoto, Manatee, Pinellas, Pasco, and Hillsborough Counties; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for SB 236** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

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**CS for CS for SB 248**—A bill to be entitled An act relating to nursing specialties; amending s. 464.003, F.S.; defining the terms “clinical nurse specialist practice” and “clinical nurse specialist”; creating s. 464.0115, F.S.; providing requirements for certification as a clinical nurse specialist; providing fees; authorizing the Board of Nursing to adopt rules; amending s. 464.012, F.S.; conforming a cross-reference; amending s. 464.015, F.S.; restricting the use of professional titles and abbreviations relating to practice by clinical nurse specialists, certified registered nurse anesthetists, and certified nurse midwives; providing penalties; amending s. 464.016, F.S.; prohibiting the use of any name or title stating or implying that a person is a clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife unless the person is licensed or certified; providing penalties; reenacting s. 921.0022(3)(g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 464.016, F.S., in a reference thereto; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 248** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wise
Deutch	Lawson	

Nays—None

Vote after roll call:

Yea—Wilson

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Consideration of **CS for SB 468** was deferred.

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**CS for CS for SB 1160 and SB 2566**—A bill to be entitled An act relating to building and facility designations; providing for the designation of buildings and facilities at the University of Florida, the Univer-

sity of South Florida, and the University of Central Florida; directing the universities to erect suitable markers; designating the Department of Education office at 921 N. Davis Street in Jacksonville as the “Mary L. Singleton Education Office”; directing the Department of Education to erect suitable markers; designating the administration building at the Florida State Hospital in Chattahoochee as the “William DeWitt Rogers Administration Building”; directing the Department of Children and Family Services to erect suitable markers; designating the Florida Center for Nursing in Orlando as the “Florida Barbara B. Lumpkin Center for Nursing”; directing the Department of Health to erect suitable markers; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for CS for SB 1160 and SB 2566** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**CS for SB 2092**—A bill to be entitled An act relating to charter school districts; amending s. 1003.62, F.S.; postponing the termination of an academic performance-based charter school pilot program in certain counties; providing an effective date.

—was read the third time by title.

On motion by Senator Deutch, **CS for SB 2092** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Argenziano	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Villalobos
Constantine	Joyner	Webster
Crist	Justice	Wilson
Dawson	King	Wise
Deutch	Lynn	

Nays—None

Vote after roll call:

Yea—Lawson

**CS for CS for SB 2100**—A bill to be entitled An act relating to pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement to require certification that an applicant holds a doctor of pharmacy degree; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring the Board of Pharmacy to set fees and rules to register pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from certain registration

requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring the board to adopt rules requiring a pharmacy to notify the board when employing technicians; requiring the board to maintain a directory of technicians and publish the directory on the Internet; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S.; conforming references; amending s. 465.0235, F.S.; authorizing pharmacies to use an automated pharmacy system located on its premises; prohibiting automated pharmacy systems from dispensing substances controlled in Schedule I of ch. 893, F.S.; requiring the Board of Pharmacy to adopt rules for the security of an automated pharmacy system which require a photographic record of the recipient if the drug is dispensed directly to the recipient in a pharmacy; providing an appropriation and authorizing additional positions; providing effective dates.

—as amended April 18 was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 2100** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**SB 2634**—A bill to be entitled An act relating to hospice facility construction; amending s. 400.6051, F.S.; providing for review of construction plans by the Agency for Health Care Administration; authorizing the agency to charge fees for such review; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **SB 2634** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**CS for SB 1488**—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.047, F.S.; consolidating the operation of the Institute of Food and Agricultural Sciences Supplemental Retirement Program under the Florida Retirement System; providing

for assumption of program liabilities and obligations; abolishing the Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund; barring program participants from membership in the Florida Retirement System; amending s. 121.40, F.S., relating to the establishment and administration of the Institute of Food and Agricultural Sciences Supplemental Retirement Program; conforming provisions to changes made by the act; redefining the term "trust fund" for purposes of administering the program; providing a rate of monthly contributions; removing provisions relating to investments of the program trust fund; providing a legislative finding that the act fulfills an important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 1488** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**SB 1950**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 383.51, F.S., relating to an exemption from public-records requirements provided with respect to the identity of a parent who leaves a newborn infant at a hospital, emergency medical services station, or fire station; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **SB 1950** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Argenziano	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Deutch	Lynn	

Nays—None

Vote after roll call:

Yea—Gaetz

**CS for SB 2866**—A bill to be entitled An act relating to sexually violent predators; amending s. 394.913, F.S.; providing for information concerning sexual acts and sexual motivation in a person's criminal history to be provided to multidisciplinary teams treating sexually vio-

lent predators; creating s. 394.9223, F.S.; providing for the use of physical force against a person confined in a secure facility as a sexually violent predator under certain circumstances; providing for examinations, reports, and investigations following the use of force; providing for criminal penalties when force is used with malicious intent; creating s. 394.9221, F.S.; authorizing the employment of certified correctional officers at a secure facility; amending s. 916.1091, F.S.; authorizing the employment of certified correctional officers at forensic facilities; providing for such authority to operate retroactively; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 2866** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**THE PRESIDENT PRESIDING**

On motion by Senator Haridopolos, by two-thirds vote **CS for HB 7001** was withdrawn from the Committee on Finance and Tax.

On motions by Senator Haridopolos, by unanimous consent—

**CS for HB 7001**—A bill to be entitled An act relating to ad valorem tax millage; amending s. 200.065, F.S.; specifying a form for advertisements of proposed tax increases in excess of a millage limitation; creating s. 200.192, F.S.; providing ad valorem tax millage limitations; providing exemptions for certain taxing authorities; providing for nonapplication to ad valorem taxes levied by certain counties, districts, and municipalities; providing for increasing the millage limitation for certain counties for certain purposes; providing for determining the millage rate limitation; providing for exceeding the limitations under certain circumstances; prohibiting certain counties or municipalities from participating in certain revenue sharing and local government half-cent sales tax distributions under certain circumstances; specifying a methodology for calculating a rolled-back rate for certain counties or municipalities; requiring forms of property appraisers to contain certain millage calculation instructions; providing for nonapplication to the millage of certain ad valorem tax levies; amending s. 373.536, F.S.; correcting cross-references; providing for preemption, control, and supersession of provisions of general or special law in conflict with provisions of the act; providing an effective date.

—was taken up out of order and by two-thirds vote was read the second time by title.

Senator Haridopolos moved the following amendment which was adopted:

**Amendment 1 (163244)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (h) and (i) are added to subsection (8) of section 200.001, Florida Statutes, to read:

200.001 Millages; definitions and general provisions.—

(8)

(h) “Per capita Florida personal income” means Florida nominal personal income divided by the Florida resident population for the previous calendar year, as reported by the Office of Economic and Demographic Research by April 30 of each year, and published by the Department of Revenue.

(i) “Dedicated increment value” means the increase in assessed value within a defined geographic area used to determine a tax increment amount to be paid to a redevelopment trust fund pursuant to s. 163.387(2)(a) or to be paid or applied pursuant to an ordinance, resolution, or agreement to fund a project or to finance essential infrastructure. Upon creating any obligation for payment to a redevelopment trust fund or otherwise pursuant to an ordinance, resolution, or agreement to fund a project or to finance essential infrastructure based on an increase in assessed value, the taxing authority shall certify to the property appraiser the boundaries of the designated geographic area, the date of the most recent assessment roll used in connection with the taxation of such property prior to creation of the obligation, the percentage of the increase in assessed value subject to the obligation, the term of the obligation, and all other information necessary to compute the dedicated increment value. Information provided to the property appraiser after May 1 of any year may not be used for the current year’s certification.

Section 2. Section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(1) Upon completion of the assessment of all property pursuant to s. 193.023, the property appraiser shall certify to each taxing authority the taxable value within the jurisdiction of the taxing authority. This certification shall include a copy of the statement required to be submitted under s. 195.073(3), as applicable to that taxing authority. The form on which the certification is made shall include instructions to each taxing authority describing the proper method of computing a millage rate which, exclusive of new construction, additions to structures, deletions, increases in the value of improvements that have undergone a substantial rehabilitation which increased the assessed value of such improvements by at least 100 percent, and property added due to geographic boundary changes, and any dedicated increment value, will provide the same ad valorem tax revenue for each taxing authority as was levied during the prior year, less the amount, if any, paid or applied as a consequence of an obligation payment measured by a dedicated increment value. That millage rate shall be known as the “rolled-back rate.” The property appraiser shall also include instructions, as prescribed by the Department of Revenue, to each county and municipality, and to each special district dependent on a county or municipality, describing the proper method of computing the millage rates specified in subsection (5). The Department of Revenue shall prescribe the instructions and forms that are necessary to administer this section. The information provided pursuant to this subsection shall also be sent to the tax collector by the property appraiser at the time it is sent to each taxing authority.

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(a)1. Upon preparation of a tentative budget, but prior to adoption thereof, each taxing authority shall compute a proposed millage rate necessary to fund the tentative budget other than the portion of the budget to be funded from sources other than ad valorem taxes. In computing proposed or final millage rates, each taxing authority shall utilize not less than 95 percent of the taxable value certified pursuant to subsection (1).

2. The tentative budget of the county commission shall be prepared and submitted in accordance with s. 129.03.

3. The tentative budget of the school district shall be prepared and submitted in accordance with chapter 1011, provided that the date of submission shall not be later than 24 days after certification of value pursuant to subsection (1).

4. Taxing authorities other than the county and school district shall prepare and consider tentative and final budgets in accordance with this section and applicable provisions of law, including budget procedures applicable to the taxing authority, provided such procedures do not conflict with general law.

(b) Within 35 days after certification of value pursuant to subsection (1), each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate computed pursuant to subsection (1), and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. The property appraiser shall utilize this information in preparing the notice of proposed property taxes pursuant to s. 200.069. The deadline for mailing the notice shall be the later of 55 days after certification of value pursuant to subsection (1) or 10 days after either the date the tax roll is approved or the interim roll procedures under s. 193.1145 are instituted. If the deadline for mailing the notice of proposed property taxes is 10 days after the date the tax roll is approved or the interim roll procedures are instituted, all subsequent deadlines provided in this section shall be extended. The number of days by which the deadlines shall be extended shall equal the number of days by which the deadline for mailing the notice of proposed taxes is extended beyond 55 days after certification. If any taxing authority fails to provide the information required in this paragraph to the property appraiser in a timely fashion, the taxing authority may not levy ~~shall be prohibited from levying~~ a millage rate greater than the rolled-back rate computed pursuant to subsection (1) for the upcoming fiscal year, which rate shall be computed by the property appraiser and used in preparing the notice of proposed property taxes.

(c) Within 80 days after the certification of value pursuant to subsection (1), but not earlier than 65 days after certification, the governing body of each taxing authority shall hold a public hearing on the tentative budget and proposed millage rate. Prior to the conclusion of the hearing, the governing body of the taxing authority shall amend the tentative budget as it sees fit, adopt the amended tentative budget, recompute its proposed millage rate, and publicly announce the percent, if any, by which the recomputed proposed millage rate exceeds the rolled-back rate computed pursuant to subsection (1). That percent shall be characterized as the percentage increase in property taxes tentatively adopted by the governing body.

(d) If the tentative budget prepared by the governing body of a county, municipality, or dependent district, as defined in s. 189.403(2), for the 2009-2010 fiscal year or thereafter results in a millage rate in excess of the rate calculated under paragraph (5)(c), a second public hearing on the tentative budget must be held within the time period identified in paragraph (c). This meeting must meet the same conditions required under paragraph (c), except that it may not be held on the same day of the week as the meeting required under paragraph (c) and shall be held before 5 p.m.

(e) Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county as provided in subsection (3), its intent to finally adopt a millage rate and budget. If a second meeting is held pursuant to paragraph (d), the county or municipality shall advertise its intent within 15 days before the second meeting. A public hearing to finalize the budget and adopt a millage rate shall be held not less than 2 days or more than 5 days after the day that the advertisement is first published. During the hearing, the governing body of the taxing authority shall amend the adopted tentative budget as it sees fit, adopt a final budget, and adopt a resolution or ordinance stating the millage rate to be levied. The resolution or ordinance shall state the percent, if any, by which the millage rate to be levied exceeds the rolled-back rate computed pursuant to subsection (1), which shall be characterized as the percentage increase in property taxes adopted by the governing body. The adoption of the budget and the millage-levy resolution or ordinance shall be by separate votes. For each taxing authority levying millage, the name of the taxing authority, the rolled-back rate, the percentage increase, and the millage rate to be levied shall be publicly announced prior to the adoption of the millage-levy resolution or ordinance. In no event may the millage rate adopted pursuant to this paragraph exceed the millage rate tentatively adopted pursuant to paragraph (c). If the rate tentatively adopted pursuant to paragraph (c) exceeds the proposed rate provided to the property appraiser pursuant to paragraph (b), or as subsequently adjusted pursuant to subsection (1), each taxpayer within the jurisdiction of the taxing authority shall be sent notice by first-class mail of his or her taxes under the tentatively adopted millage rate and his or her taxes under the previously proposed rate. The notice must be prepared by the property appraiser, at the expense of the taxing authority, and must generally conform to the requirements of s. 200.069. If such additional notice is necessary, its mailing must precede the hearing held pursuant to this paragraph by not less than 10 days and not more than 15 days.

(f)(e)1. In the hearings required pursuant to paragraphs (c), and (d), and (e), the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which ad valorem tax revenues are being increased. During such discussion, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate prior to adopting its tentative or final budget.

2. These hearings shall be held after 5 p.m. if scheduled on a day other than Saturday. No hearing shall be held on a Sunday. The county commission shall not schedule its hearings on days scheduled for hearings by the school board. The hearing dates scheduled by the county commission and school board shall not be utilized by any other taxing authority within the county for its public hearings. A multicounty taxing authority shall make every reasonable effort to avoid scheduling hearings on days utilized by the counties or school districts within its jurisdiction. Tax levies and budgets for dependent special taxing districts shall be adopted at the hearings for the taxing authority to which such districts are dependent, following such discussion and adoption of levies and budgets for the superior taxing authority. A taxing authority may adopt the tax levies for all of its dependent special taxing districts, and may adopt the budgets for all of its dependent special taxing districts, by a single unanimous vote. However, if a member of the general public requests that the tax levy or budget of a dependent special taxing district be separately discussed and separately adopted, the taxing authority shall discuss and adopt that tax levy or budget separately. If, due to circumstances beyond the control of the taxing authority, the hearing provided for in paragraph (e) (d) is recessed, the taxing authority shall publish a notice in a newspaper of general paid circulation in the county. The notice shall state the time and place for the continuation of the hearing and shall be published at least 2 days but not more than 5 days prior to the date the hearing will be continued.

(g)(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget in a newspaper of general circulation pursuant to subsection (3) within 29 days after of certification of value pursuant to subsection (1). Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c).

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days after of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (e) (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days after of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (e) (d), except that a newspaper advertisement need not precede the hearing.

(h)(g) Notwithstanding other provisions of law to the contrary, a taxing authority may:

1. Expend moneys based on its tentative budget after adoption pursuant to paragraph (c) and until such time as its final budget is adopted pursuant to paragraph (e) (d), only if the fiscal year of the taxing authority begins prior to adoption of the final budget or, in the case of a school district, if the fall term begins prior to adoption of the final budget; or

2. Readopt its prior year's adopted final budget, as amended, and expend moneys based on that budget until such time as its tentative budget is adopted pursuant to paragraph (c), only if the fiscal year of the taxing authority begins prior to adoption of the tentative budget. The readopted budget shall be adopted by resolution without notice pursuant to this section at a duly constituted meeting of the governing body.

(3) The advertisement shall be no less than one-quarter page in size of a standard size or a tabloid size newspaper, and the headline in the

advertisement shall be in a type no smaller than 18 point. 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 or in a geographically limited insert of such newspaper. The geographic boundaries in which such insert is circulated shall include the geographic boundaries of the taxing authority. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least 5 days a week unless the only newspaper in the county is published less than 5 days a week, or that the advertisement appear in a geographically limited insert of such newspaper which insert is published throughout the taxing authority's jurisdiction at least twice each week. It is further the legislative intent that the newspaper selected be one of general interest and readership in the community and not one of limited subject matter, pursuant to chapter 50.

(a) For taxing authorities other than school districts that which have tentatively adopted a millage rate in excess of 100 percent of the rolled-back rate computed pursuant to subsection (1), the advertisement shall be in the following form:

NOTICE OF PROPOSED TAX INCREASE

The (name of the taxing authority) has tentatively adopted a measure to increase its property tax levy.

Last year's property tax levy:

- A. Initially proposed tax levy . . . . . \$XX,XXX,XXX
B. Less tax reductions due to Value Adjustment Board and other assessment changes . . . . . (\$XX,XXX,XXX)
C. Actual property tax levy . . . . . \$XX,XXX,XXX

This year's proposed tax levy . . . . . \$XX,XXX,XXX

All concerned citizens are invited to attend a public hearing on the tax increase to be held on (date and time) at (meeting place).

A FINAL DECISION on the proposed tax increase and the budget will be made at this hearing.

(b) In all instances in which the provisions of paragraph (a) are inapplicable for taxing authorities other than school districts, the advertisement shall be in the following form:

NOTICE OF BUDGET HEARING

The (name of taxing authority) has tentatively adopted a budget for (fiscal year). A public hearing to make a FINAL DECISION on the budget AND TAXES will be held on (date and time) at (meeting place).

(c) For school districts that which have proposed a millage rate in excess of 100 percent of the rolled-back rate computed pursuant to subsection (1) and that which propose to levy nonvoted millage in excess of the minimum amount required pursuant to s. 1011.60(6), the advertisement shall be in the following form:

NOTICE OF PROPOSED TAX INCREASE

The (name of school district) will soon consider a measure to increase its property tax levy.

Last year's property tax levy:

- A. Initially proposed tax levy . . . . . \$XX,XXX,XXX
B. Less tax reductions due to Value Adjustment Board and other assessment changes . . . . . (\$XX,XXX,XXX)
C. Actual property tax levy . . . . . \$XX,XXX,XXX

This year's proposed tax levy . . . . . \$XX,XXX,XXX

A portion of the tax levy is required under state law in order for the school board to receive \$ (amount A) in state education grants. The required portion has (increased or decreased) by (amount B) percent and represents approximately (amount C) of the total proposed taxes.

The remainder of the taxes is proposed solely at the discretion of the school board.

All concerned citizens are invited to a public hearing on the tax increase to be held on (date and time) at (meeting place).

A DECISION on the proposed tax increase and the budget will be made at this hearing.

1. AMOUNT A shall be an estimate, provided by the Department of Education, of the amount to be received in the current fiscal year by the district from state appropriations for the Florida Education Finance Program.

2. AMOUNT B shall be the percent increase over the rolled-back rate necessary to levy only the required local effort in the current fiscal year, computed as though in the preceding fiscal year only the required local effort was levied.

3. AMOUNT C shall be the quotient of required local-effort millage divided by the total proposed nonvoted millage, rounded to the nearest tenth and stated in words; however, the stated amount shall not exceed nine-tenths.

(d) For school districts *that which* have proposed a millage rate in excess of 100 percent of the rolled-back rate computed pursuant to subsection (1) and *that which* propose to levy as nonvoted millage only the minimum amount required pursuant to s. 1011.60(6), the advertisement shall be the same as provided in paragraph (c), except that the second and third paragraphs shall be replaced with the following paragraph:

This increase is required under state law in order for the school board to receive \$ (amount A) in state education grants.

(e) In all instances in which the provisions of paragraphs (c) and (d) are inapplicable for school districts, the advertisement shall be in the following form:

#### NOTICE OF BUDGET HEARING

The (name of school district) will soon consider a budget for (fiscal year). A public hearing to make a DECISION on the budget AND TAXES will be held on (date and time) at (meeting place).

(f) In lieu of publishing the notice set out in this subsection, the taxing authority may mail a copy of the notice to each elector residing within the jurisdiction of the taxing authority.

(g) In the event that the mailing of the notice of proposed property taxes is delayed beyond September 3 in a county, any multicounty taxing authority which levies ad valorem taxes within that county shall advertise its intention to adopt a tentative budget and millage rate in a newspaper of paid general circulation within that county, as provided in this subsection, and shall hold the hearing required pursuant to paragraph (2)(c) not less than 2 days or more than 5 days thereafter, and not later than September 18. The advertisement shall be in the following form, unless the proposed millage rate is less than or equal to the rolled-back rate, computed pursuant to subsection (1), in which case the advertisement shall be as provided in paragraph (e):

#### NOTICE OF TAX INCREASE

The (name of the taxing authority) proposes to increase its property tax levy by (percentage of increase over rolled-back rate) percent.

All concerned citizens are invited to attend a public hearing on the proposed tax increase to be held on (date and time) at (meeting place).

(h) In no event shall any taxing authority add to or delete from the language of the advertisements as specified herein unless expressly authorized by law, except that, if an increase in ad valorem tax rates will affect only a portion of the jurisdiction of a taxing authority, advertisements may include a map or geographical description of the area to be affected and the proposed use of the tax revenues under consideration. The advertisements required herein shall not be accompanied, preceded, or followed by other advertising or notices which conflict with or modify the substantive content prescribed herein.

(i) The advertisements required pursuant to paragraphs (b) and (e) need not be one-quarter page in size or have a headline in type no smaller than 18 point.

(j) The amounts to be published as percentages of increase over the rolled-back rate pursuant to this subsection shall be based on aggregate millage rates and shall exclude voted millage levies unless expressly provided otherwise in this subsection.

(k) Any taxing authority *that which* will levy an ad valorem tax for an upcoming budget year but *that* does not levy an ad valorem tax

currently shall, in the advertisement specified in paragraph (a), paragraph (c), paragraph (d), or paragraph (g), replace the phrase "increase its property tax levy by (percentage of increase over rolled-back rate) percent" with the phrase "impose a new property tax levy of \$ (amount) per \$1,000 value."

(l) Any advertisement required pursuant to this section shall be accompanied by an adjacent notice meeting the budget summary requirements of s. 129.03(3)(b). Except for those taxing authorities proposing to levy ad valorem taxes for the first time, the following statement shall appear in the budget summary in boldfaced type immediately following the heading, if the applicable percentage is greater than zero:

THE PROPOSED OPERATING BUDGET EXPENDITURES OF (name of taxing authority) ARE (percent rounded to one decimal place) MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

For purposes of this paragraph, "proposed operating budget expenditures" or "operating expenditures" means all moneys of the local government, including dependent special districts, that:

1. Were or could be expended during the applicable fiscal year, or
2. Were or could be retained as a balance for future spending in the fiscal year.

Provided, however, those moneys held in or used in trust, agency, or internal service funds, and expenditures of bond proceeds for capital outlay or for advanced refunded debt principal, shall be excluded.

(4) The resolution or ordinance approved in the manner provided for in this section shall be forwarded to the property appraiser and the tax collector within 3 days after the adoption of such resolution or ordinance. No millage other than that approved by referendum may be levied until the resolution or ordinance to levy required in subsection (2) is approved by the governing board of the taxing authority and submitted to the property appraiser and the tax collector. The receipt of the resolution or ordinance by the property appraiser shall be considered official notice of the millage rate approved by the taxing authority, and that millage rate shall be the rate applied by the property appraiser in extending the rolls pursuant to s. 193.122, subject to the provisions of subsection (6) ~~(5)~~. These submissions shall be made within 101 days *after* ~~of~~ certification of value pursuant to subsection (1).

(5)(a) *The maximum millage rate that a county or municipality, or a special district dependent on a county or municipality, may levy for the 2007-2008 fiscal year is the greater of:*

1. *The rate that will provide ad valorem tax revenue calculated as follows:*

a. *Ad valorem taxes levied against the 2005 tax roll adjusted to the amount that would have been levied against the 2006 tax roll at the 2006 rolled-back rate and further adjusted by the annual percentage change in per capita Florida personal income in the 2005 calendar year or the actual ad valorem taxes levied for the 2006-2007 fiscal year, whichever is less.*

b. *The amount in sub-subparagraph a. further adjusted to the amount that would result from levying the 2007 rolled-back rate based on the amount calculated in sub-subparagraph a., and further adjusted by the annual percentage change in per capita Florida personal income in the 2006 calendar year; or*

2. *The rate that will provide the same ad valorem tax revenue as was levied in the 2006-2007 fiscal year.*

(b) *The maximum millage rate that a county or municipality, or a special district dependent on a county or municipality, may levy for the 2008-2009 fiscal year is the greater of:*

1. *The rolled-back rate based on the previous year's maximum millage rate; or*

2. *Eighty-five percent of the rate that will provide the ad valorem tax revenue that would be raised by applying the millage rate for the 2006-2007 fiscal year to the 2008 tax roll.*

(c) *Beginning in the 2009-2010 fiscal year, the maximum millage rate that a county or municipality, or a special district dependent on a county*

or municipality, may levy is the rolled-back rate based on the previous year's maximum millage rate, adjusted for growth in per capita Florida personal income, unless a higher rate is approved by a two-thirds vote of the governing body of the county or municipality or approved by a referendum of the voters, in which case the higher rate shall be the maximum rate.

Voted millage as defined in this chapter and taxes levied by a municipality or municipal services taxing unit that has levied ad valorem taxes for less than 5 years are not subject to the limitation on millage rates provided by this subsection.

(6)(5) Prior to extension of the rolls pursuant to s. 193.122, the property appraiser shall notify each taxing authority of the aggregate change in the assessment roll, if any, from that certified pursuant to subsection (1), including, but not limited to, those changes which result from actions by the value adjustment board or from corrections of errors in the assessment roll. Municipalities, counties, school boards, and water management districts may adjust administratively their adopted millage rate without a public hearing if the taxable value within the jurisdiction of the taxing authority as certified pursuant to subsection (1) is at variance by more than 1 percent with the taxable value shown on the roll to be extended. Any other taxing authority may adjust administratively its adopted millage rate without a public hearing if the taxable value within the jurisdiction of the taxing authority as certified pursuant to subsection (1) is at variance by more than 3 percent with the taxable value shown on the roll to be extended. The adjustment shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended. However, no adjustment shall be made to levies required by law to be a specific millage amount. Not later than 3 days after receipt of notification pursuant to this subsection, each affected taxing authority shall certify to the property appraiser its adjusted adopted rate. Failure to so certify shall constitute waiver of the adjustment privilege.

(7)(6) Nothing contained in this section shall serve to extend or authorize any millage in excess of the maximum millage permitted by law or prevent the reduction of millage.

(8)(7) The property appraiser shall deliver to the presiding officer of each taxing authority within the county, on June 1, an estimate of the total assessed value of nonexempt property for the current year for budget planning purposes.

(9)(8) Multicounty taxing authorities are subject to the provisions of this section. The term "taxable value" means the taxable value of all property subject to taxation by the authority. If a multicounty taxing authority has not received a certification pursuant to subsection (1) from a county by July 15, it shall compute its proposed millage rate and rolled-back rate based upon estimates of taxable value supplied by the Department of Revenue. All dates for public hearings and advertisements specified in this section shall, with respect to multicounty taxing authorities, be computed as though certification of value pursuant to subsection (1) were made July 1. The multicounty district shall add the following sentence to the advertisement set forth in paragraphs (3)(a) and (g): This tax increase is applicable to (name of county or counties).

(10)(9)(a) In addition to the notice required in subsection (3), a district school board shall publish a second notice of intent to levy additional taxes under s. 1011.71(2). Such notice shall specify the projects or number of school buses anticipated to be funded by such additional taxes and shall be published in the size, within the time periods, adjacent to, and in substantial conformity with the advertisement required under subsection (3). The projects shall be listed in priority within each category as follows: construction and remodeling; maintenance, renovation, and repair; motor vehicle purchases; new and replacement equipment; payments for educational facilities and sites due under a lease-purchase agreement; payments for renting and leasing educational facilities and sites; payments of loans approved pursuant to ss. 1011.14 and 1011.15; payment of costs of compliance with environmental statutes and regulations; payment of costs of leasing relocatable educational facilities; and payments to private entities to offset the cost of school buses pursuant to s. 1011.71(2)(i). The additional notice shall be in the following form, except that if the district school board is proposing to levy the same millage under s. 1011.71(2) which it levied in the prior year, the words "continue to" shall be inserted before the word "impose" in the first sentence, and except that the second sentence of the second paragraph

shall be deleted if the district is advertising pursuant to paragraph (3)(e):

NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY

The (name of school district) will soon consider a measure to impose a (number) mill property tax for the capital outlay projects listed herein.

This tax is in addition to the school board's proposed tax of (number) mills for operating expenses and is proposed solely at the discretion of the school board. THE PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

The capital outlay tax will generate approximately \$ (amount), to be used for the following projects:

(list of capital outlay projects)

All concerned citizens are invited to a public hearing to be held on (date and time) at (meeting place).

A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

(b) In the event a school district needs to amend the list of capital outlay projects previously advertised and adopted, a notice of intent to amend the notice of tax for school capital outlay shall be published in conformity with the advertisement required in subsection (3). A public hearing to adopt the amended project list shall be held not less than 2 days nor more than 5 days after the day the advertisement is first published. The projects should be listed under each category of new, amended, or deleted projects in the same order as required in paragraph (a). The notice shall appear in the following form, except that any of the categories of new, amended, or deleted projects may be omitted if not appropriate for the changes proposed:

AMENDED NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY

The School Board of (name) County will soon consider a measure to amend the use of property tax for the capital outlay projects previously advertised for the (year) to (year) school year.

New projects to be funded:

(list of capital outlay projects)

Amended projects to be funded:

(list of capital outlay projects)

Projects to be deleted:

(list of capital outlay projects)

All concerned citizens are invited to a public hearing to be held on (date and time) at (meeting place).

A DECISION on the proposed amendment to the projects funded from CAPITAL OUTLAY TAXES will be made at this meeting.

(11)(10) Notwithstanding the provisions of paragraph (2)(b) and s. 200.069(4)(c) to the contrary, the proposed millage rates provided to the property appraiser by the taxing authority, except for millage rates adopted by referendum, for rates authorized by s. 1011.71, and for rates required by law to be in a specified millage amount, shall be adjusted in the event that a review notice is issued pursuant to s. 193.1142(4) and the taxable value on the approved roll is at variance with the taxable value certified pursuant to subsection (1). The adjustment shall be made by the property appraiser, who shall notify the taxing authorities affected by the adjustment within 5 days of the date the roll is approved pursuant to s. 193.1142(4). The adjustment shall be such as to provide for no change in the dollar amount of taxes levied from that initially proposed by the taxing authority.

(12)(11) The time periods specified in this section shall be determined by using the date of certification of value pursuant to subsection (1) or July 1, whichever date is later, as day 1. The time periods shall be considered directory and may be shortened, provided:

(a) No public hearing which is preceded by a mailed notice occurs earlier than 10 days following the mailing of such notice;

(b) Any public hearing preceded by a newspaper advertisement is held not less than 2 days or more than 5 days following publication of such advertisement; and

(c) The property appraiser coordinates such shortening of time periods and gives written notice to all affected taxing authorities; however, no taxing authority shall be denied its right to the full time periods allowed in this section.

(13)(12)(a) Any taxing authority in violation of this section, *other than subsection (5)*, shall be subject to forfeiture of state funds otherwise available to it for the 12 months following a determination of noncompliance by the *Department of Revenue* ~~appropriate state agency~~.

(b) Within 30 days *after* of the deadline for certification of compliance required by s. 200.068, the department shall notify any taxing authority in violation of this section, *other than subsection (5)*, that it is subject to paragraph (c). Except for revenues from voted levies or levies imposed pursuant to s. 1011.60(6), the revenues of any taxing authority in violation of this section, *other than subsection (5)*, collected in excess of the rolled-back rate shall be held in escrow until the process required by paragraph (c) is completed and approved by the department. The department shall direct the tax collector to so hold such funds.

(c) Any taxing authority so noticed by the department shall repeat the hearing and notice process required by paragraph (2)(d), except that:

1. The advertisement shall appear within 15 days of notice from the department.

2. The advertisement, in addition to meeting the requirements of subsection (3), shall contain the following statement in boldfaced type immediately after the heading:

**THE PREVIOUS NOTICE PLACED BY THE (name of taxing authority) HAS BEEN DETERMINED BY THE DEPARTMENT OF REVENUE TO BE IN VIOLATION OF THE LAW, NECESSITATING THIS SECOND NOTICE.**

3. The millage newly adopted at this hearing shall not be forwarded to the tax collector or property appraiser and may not exceed the rate previously adopted.

4. If the newly adopted millage is less than the amount previously forwarded pursuant to subsection (4), any moneys collected in excess of the new levy shall be held in reserve until the subsequent fiscal year and shall then be utilized to reduce ad valorem taxes otherwise necessary.

(d) *Any county, municipality, or special district dependent thereon that is in violation of subsection (5) is subject to forfeiture of the allocation of the local government half-cent sales tax revenues during the 12 months following a determination of noncompliance by the Department of Revenue as described in s. 218.63(3) and this subsection. A county or municipality is subject to this forfeiture of the allocation of local government half-cent sales tax revenues in the event of such noncompliance with subsection (5) by any special district dependent on the county or municipality. If any county, municipality, or special district dependent thereon is in violation of subsection (5), the department and the county, municipality, or special district shall follow the procedures set forth in paragraphs (b) and (c).*

(14)(13)(a) If the notice of proposed property taxes mailed to taxpayers under this section contains an error, the property appraiser, in lieu of mailing a corrected notice to all taxpayers, may correct the error by mailing a short form of the notice to those taxpayers affected by the error and its correction. The notice shall be prepared by the property appraiser at the expense of the taxing authority which caused the error or at the property appraiser's expense if he or she caused the error. The form of the notice must be approved by the executive director of the Department of Revenue or the executive director's designee. If the error involves only the date and time of the public hearings required by this section, the property appraiser, with the permission of the taxing authority affected by the error, may correct the error by advertising the corrected information in a newspaper of general circulation in the county as provided in subsection (3).

(b) Errors that may be corrected in this manner are:

1. Incorrect location, time, or date of a public hearing.

2. Incorrect assessed, exempt, or taxable value.

3. Incorrect amount of taxes as reflected in column one, column two, or column three of the notice; and

4. Any other error as approved by the executive director of the Department of Revenue or the executive director's designee.

(15)(14) The provisions of this section shall apply to all taxing authorities in this state which levy ad valorem taxes, and shall control over any special law which is inconsistent or in conflict with this section, except to the extent the special law expressly exempts a taxing authority from the provisions of this section. This subsection is a clarification of existing law, and in the absence of such express exemption, no past or future budget or levy of taxes shall be set aside upon the ground that the taxing authority failed to comply with any special law prescribing a schedule or procedure for such adoption which is inconsistent or in conflict with the provisions of this section.

Section 3. Section 200.068, Florida Statutes, is amended to read:

200.068 Certification of compliance with this chapter.—Not later than 30 days following adoption of an ordinance or resolution establishing a property tax levy, each taxing authority shall certify compliance with the provisions of this chapter to the Department of Revenue. In addition to a statement of compliance, such certification shall include a copy of the ordinance or resolution so adopted; a copy of the certification of value showing rolled-back millage and proposed millage rates, as provided to the property appraiser pursuant to s. 200.065(1) and (2)(b); and maximum millage rates calculated pursuant to s. 200.065(5), together with values and calculations upon which the maximum millage rates are based, which shall be shown on the same certification of value; and a certified copy of the advertisement, as published pursuant to s. 200.065(3). In certifying compliance, the governing body of the county shall also include a certified copy of the notice required under s. 194.037. However, if the value adjustment board completes its hearings after the deadline for certification under this section, the county shall submit such copy to the department not later than 30 days following completion of such hearings.

Section 4. Subsection (3) is added to section 218.63, Florida Statutes, to read:

218.63 Participation requirements.—

(3) *If a county or municipality, or a special district dependent on a county or municipality, in any year levies a millage rate in excess of the maximum millage rate allowed for that year under s. 200.065(5), that county or municipality, or the county or municipality on which a special district is dependent if the dependent special district levies a rate in excess of the maximum millage rate allowed for such year, may not participate in the allocation of local government half-cent sales tax revenues during the 12 months following a determination of noncompliance by the Department of Revenue as provided in s. 200.065(13).*

Section 5. Paragraph (a) of subsection (1) of section 192.0105, Florida Statutes, is amended to read:

192.0105 Taxpayer rights.—There is created a Florida Taxpayer's Bill of Rights for property taxes and assessments to guarantee that the rights, privacy, and property of the taxpayers of this state are adequately safeguarded and protected during tax levy, assessment, collection, and enforcement processes administered under the revenue laws of this state. The Taxpayer's Bill of Rights compiles, in one document, brief but comprehensive statements that summarize the rights and obligations of the property appraisers, tax collectors, clerks of the court, local governing boards, the Department of Revenue, and taxpayers. Additional rights afforded to payors of taxes and assessments imposed under the revenue laws of this state are provided in s. 213.015. The rights afforded taxpayers to assure that their privacy and property are safeguarded and protected during tax levy, assessment, and collection are available only insofar as they are implemented in other parts of the Florida Statutes or rules of the Department of Revenue. The rights so guaranteed to state taxpayers in the Florida Statutes and the departmental rules include:

(1) THE RIGHT TO KNOW.—

(a) The right to be mailed notice of proposed property taxes and proposed or adopted non-ad valorem assessments (see ss. 194.011(1),

200.065(2)(b) and (d) and (14)(a) ~~(13)(a)~~, and 200.069). The notice must also inform the taxpayer that the final tax bill may contain additional non-ad valorem assessments (see s. 200.069(10)).

Section 6. Subsection (5) of section 193.1142, Florida Statutes, is amended to read:

193.1142 Approval of assessment rolls.—

(5) Whenever an assessment roll submitted to the department is returned to the property appraiser for additional evaluation, a review notice shall be issued for the express purpose of the adjustment provided in s. 200.065(11) ~~s. 200.065(10)~~.

Section 7. Paragraph (f) of subsection (1) of section 194.037, Florida Statutes, is amended to read:

194.037 Disclosure of tax impact.—

(1) After hearing all petitions, complaints, appeals, and disputes, the clerk shall make public notice of the findings and results of the board in at least a quarter-page size advertisement of a standard size or tabloid size newspaper, and the headline shall be in a type no smaller than 18 point. 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. The newspaper selected shall be one of general interest and readership in the community, and not one of limited subject matter, pursuant to chapter 50. The headline shall read: TAX IMPACT OF VALUE ADJUSTMENT BOARD. The public notice shall list the members of the value adjustment board and the taxing authorities to which they are elected. The form shall show, in columnar form, for each of the property classes listed under subsection (2), the following information, with appropriate column totals:

(f) In the sixth column, the net shift in taxes to parcels not granted relief by the board. The shift shall be computed as the amount shown in column 5 multiplied by the applicable millage rates adopted by the taxing authorities in hearings held pursuant to s. 200.065(2)(d) or adopted by vote of the electors pursuant to s. 9(b) or s. 12, Art. VII of the State Constitution, but without adjustment as authorized pursuant to s. 200.065(6) ~~s. 200.065(5)~~. If for any taxing authority the hearing has not been completed at the time the notice required herein is prepared, the millage rate used shall be that adopted in the hearing held pursuant to s. 200.065(2)(c).

Section 8. Paragraph (i) of subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 2 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district’s contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board’s notice of proposed tax for school capital outlay as provided in s. 200.065(10) ~~s. 200.065(9)~~.

Violations of these expenditure provisions shall result in an equal dollar reduction in the Florida Education Finance Program (FEFP) funds for the violating district in the fiscal year following the audit citation.

Section 9. *If the governing board of any county or municipality determines, by a majority vote, that it needs assistance to implement the revenue reductions required by this act, the governing board may request technical financial assistance from the Office of the Auditor General or the Office of Program Policy Analysis and Government Accountability. Within 15 days after receiving such a request, the Auditor General or OPPAGA shall designate a group of staff members or consultants to assist that county or municipality. Such assistance shall be limited to those actions necessary to ensure that essential services are provided at appropriate levels. Other state agencies and local governments shall provide information as requested by the Auditor General or OPPAGA in providing assistance under this section. Within 45 days after receiving the initial request, the Auditor General or OPPAGA shall submit its final recommendations to the county or municipality.*

Section 10. *The sum of \$250,000 nonrecurring general revenue is appropriated to the Office of Program Policy Analysis and Government Accountability for purposes of implementing section 9 of this act. The sum of \$250,000 in nonrecurring general revenue is appropriated to the Office of the Auditor General for purposes of implementing section 9 of this act.*

Section 11. *The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act. Notwithstanding any other provision of law, such emergency rules shall remain in effect for 6 months after the date of adoption and may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules.*

Section 12. This act shall take effect July 1, 2007.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to ad valorem taxation; amending s. 200.001, F.S.; defining the terms “per capita Florida personal income” and “dedicated increment value”; amending s. 200.065, F.S.; providing that the rolled-back millage rate excludes the amount paid or applied as a consequence of an obligation payment measured by a dedicated increment value; requiring that the property appraiser provide instructions to the taxing authorities for computing the rolled-back rate; requiring an additional tentative budget hearing for a county, municipality, or dependent special district whose tentative budget results in a millage rate in excess of the rate calculated under s. 200.065(5)(c), F.S.; providing alternative methods of calculating the millage rates for the 2007-2008 and 2008-2009 fiscal years; providing a single method for calculating the millage rate beginning in the 2009-2010 fiscal year; providing that certain tax increment finance payments, taxes levied for the payment of bonds, and voted tax levies are exempt from the limitations on millage rates; providing that a county, municipality, or county or municipality of a dependent special district is subject to forfeiture of the allocation of the local government half-cent sales tax revenues for 12 months if it is determined to be in noncompliance with certain provisions; amending s. 200.068, F.S.; requiring the taxing authority to include certain specified information relating to maximum millage rates in the certification of value; amending s. 218.63, F.S.; providing that if a county or municipality, or a special district dependent on a county or municipality, levies a millage rate in excess of the maximum millage rate permitted by law for that year, the county, municipality, or county or municipality of the dependent district, may not participate in the allocation of local government half-cent sales tax revenues; amending ss. 192.0105, 193.1142, 194.037, and 1011.71, F.S., relating to taxpayer rights, approval of the assessment rolls, disclosure of tax impact, and school district taxes; conforming cross-references; providing for the Office of the Auditor General or the Office of Program Policy Analysis and Government Accountability to assist counties or municipalities in implementing the revenue reductions required by the act; providing appropriations; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

On motions by Senator Haridopolos, by two-thirds vote **CS for HB 7001** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Carlton
Alexander	Baker	Constantine
Argenziano	Bennett	Crist
Aronberg	Bullard	Dawson

Deutch	Jones	Rich
Diaz de la Portilla	Joyner	Ring
Dockery	Justice	Saunders
Fasano	King	Siplin
Gaetz	Lawson	Villalobos
Garcia	Lynn	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	

Nays—None

Vote after roll call:

Yea—Margolis

On motion by Senator Atwater, by two-thirds vote **CS for CS for HB 261** was withdrawn from the Committee on Finance and Tax.

On motions by Senator Atwater, by unanimous consent—

**CS for CS for HB 261**—A bill to be entitled An act relating to just valuation of property; amending s. 193.011, F.S.; providing for consideration of zoning changes and permits in determining the highest and best use; revising the condition of property just valuation factor; including cost of removal of tangible personal property as a consideration in the net sale proceeds factor; requiring property appraisers to use only market rent in arriving at just value of certain income-producing properties; providing a definition; providing applicability; amending s. 193.016, F.S.; providing for consideration of value adjustment board decisions for all properties; creating s. 193.018, F.S.; authorizing owners of certain properties to enter into deed-restriction agreements with counties for certain purposes; requiring property appraisers to consider deed-restriction agreements in determining just value; providing for payment of back taxes plus interest if the deed-restriction agreement is terminated early; amending s. 194.011, F.S.; revising provisions relating to provision of evidence by petitioners and property appraisers; amending s. 194.013, F.S.; requiring value adjustment boards to waive a petition filing fee for taxpayers eligible for certain constitutional exemptions; amending s. 194.015, F.S.; revising the membership of value adjustment boards, appointment criteria, and quorum requirements; amending s. 194.032, F.S.; providing for criteria for rescheduling certain hearings under certain circumstances; amending s. 194.034, F.S.; requiring value adjustment boards to order refund of certain filing fees if a determination of a property appraiser is overturned; amending s. 194.192, F.S.; providing for judgments against property appraisers under certain circumstances; providing for assessment and award of attorney fees to taxpayers under certain circumstances; amending s. 194.301, F.S.; revising criteria for a presumption of correctness of ad valorem taxation assessments and the burden of proof in actions challenging such assessments; providing an effective date.

—was taken up out of order and by two-thirds vote was read the second time by title.

Senators Haridopolos and Atwater offered the following amendment which was moved by Senator Atwater and adopted:

**Amendment 1 (652992)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 73.071, Florida Statutes, is amended to read:

73.071 Jury trial; compensation; severance damages; business damages.—

(3) The jury shall determine solely the amount of compensation to be paid, which compensation shall include:

(a) The value of the property sought to be appropriated;

(b) Where less than the entire property is sought to be appropriated, any damages to the remainder caused by the taking, including, when the action is by the Department of Transportation, county, municipality, board, district or other public body for the condemnation of a right-of-way, and the effect of the taking of the property involved may damage

or destroy an established business of more than 4 years' standing before January 1, 2005, or the effect of the taking of the property involved may damage or destroy an established business of more than 5 years' standing on or after January 1, 2005, owned by the party whose lands are being so taken, located upon adjoining lands owned or held by such party, the probable damages to such business which the denial of the use of the property so taken may reasonably cause; and any person claiming the right to recover such special damages shall set forth in his or her written defenses the nature and extent of such damages; and

(c) Where the appropriation is of property upon which a mobile home, other than a travel trailer as defined in s. 320.01, is located, whether or not the owner of the mobile home is an owner or lessee of the property involved, and the effect of the taking of the property involved requires the relocation of such mobile home, the reasonable removal or relocation expenses incurred by such mobile home owner, not to exceed the replacement value of such mobile home. The compensation paid to a mobile home owner under this paragraph shall preclude an award to a mobile home park owner for such expenses of removal or relocation. Any mobile home owner claiming the right to such removal or relocation expenses shall set forth in his or her written defenses the nature and extent of such expenses. This paragraph ~~does shall~~ not apply to any governmental authority exercising its power of eminent domain when reasonable removal or relocation expenses ~~are must be~~ paid to mobile home owners under other provisions of law or agency rule applicable to such exercise of power; and-

(d) *Where the appropriation is of homestead property, the present value of the expected future tax benefits of the property as provided under s. 4(c), Art. VII of the State Constitution.*

Section 2. Section 73.0725, Florida Statutes, is created to read:

73.0725 *When homestead property is appropriated under this chapter, the condemning authority shall separately determine the present value of the expected future tax benefits provided under s. 4(c), Art. VII of the State Constitution.*

Section 3. Paragraph (d) of subsection (3) of section 163.31801, Florida Statutes, is amended to read:

163.31801 Impact fees; short title; intent; definitions; ordinances levying impact fees.—

(3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:

(d)1. Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or amended impact fee.

2. *A county, municipality, or special district seeking to amend an ordinance or resolution to increase an existing impact fee must hold three public hearings concerning the amendment before the notice required under subparagraph 1. is provided. One of the public hearings must be held on a weekday evening.*

Section 4. Section 193.011, Florida Statutes, is amended to read:

193.011 Factors to consider in deriving just valuation.—In arriving at just valuation as required under s. 4, Art. VII of the State Constitution, the property appraiser shall ~~consider take into consideration~~ the following factors:

(1) The present cash value of the property, which is the amount a willing purchaser would pay a willing seller, exclusive of reasonable fees and costs of purchase, in cash or the immediate equivalent thereof in a transaction at arm's length;

(2) The highest and best use to which the property can be expected to be put in the immediate future *which is reasonably probable, physically possible, and legally permissible as well as financially feasible and maximally productive*, and the present use of the property, taking into consideration any applicable judicial limitation, local or state land use regulation, *current zoning limitation, variance*, or historic preservation ordinance, and considering any moratorium imposed by executive order, law, ordinance, regulation, resolution, or proclamation adopted by any governmental body or agency or the Governor when the moratorium or judicial limitation prohibits or restricts the development or improve-

ment of property as otherwise authorized by applicable law. The applicable governmental body or agency or the Governor shall notify the property appraiser in writing of any executive order, ordinance, regulation, resolution, or proclamation it adopts imposing any such limitation, regulation, or moratorium;

- (3) The location of said property;
- (4) The quantity or size of said property;
- (5) The cost of said property and the present replacement value of any improvements thereon;
- (6) The condition of said property;
- (7) The income from said property; and
- (8) The net proceeds of the sale of the property, as received by the seller, after deduction of all of the usual and reasonable fees and costs of the sale, including the costs and expenses of financing, and allowance for unconventional or atypical terms of financing arrangements. *If when the net proceeds of the sale of any property are used utilized, directly or indirectly, in determining the the determination of just valuation of realty of the sold parcel or any other parcel under the provisions of this section, the property appraiser, for the purposes of such determination, shall exclude any portion of such net proceeds attributable to payments for household furnishings or other items of personal property.*

Section 5. Section 195.052, Florida Statutes, is amended to read:

195.052 Research and tabulation of data.—The Department of Revenue shall conduct constant research and maintain accurate tabulations of data and conditions existing as to ad valorem taxation, shall annually publish such data as may be appropriate to facilitate fiscal policymaking, and shall annually make such recommendations to the Legislature as are necessary to ensure that property is valued according to its just value and is equitably taxed throughout the state. *The data published must include the annual percentage increase in total nonvoted ad valorem taxes levied by each municipality and county and information concerning the distribution of ad valorem taxes levied among the various classifications of property, including homestead, nonhomestead residential, new construction, commercial, and industrial properties. The published data must also include the previous year's adopted millage rate, the current year's millage rate, and the current percentage increase in taxes levied above the rolled-back rate. At a minimum, the data must be published on the department's website and on the websites of all property appraisers of this state, if available. Publication must shall occur within 90 not later than 60 days after receipt of extended rolls for all counties pursuant to s. 193.122(7).*

Section 6. Section 200.069, Florida Statutes, is amended to read:

200.069 Notice of proposed property taxes and non-ad valorem assessments.—Pursuant to s. 200.065(2)(b), the property appraiser, in the name of the taxing authorities and local governing boards levying non-ad valorem assessments within his or her jurisdiction and at the expense of the county, shall prepare and deliver by first-class mail to each taxpayer to be listed on the current year's assessment roll a notice of proposed property taxes, which notice *must shall* contain the elements and use the format provided in the following form, *and include the address of the county government's official Internet website.* Notwithstanding the provisions of s. 195.022, *a no county officer may not shall* use a form other than that provided herein. The Department of Revenue may adjust the spacing and placement on the form of the elements listed in this section as it considers necessary based on changes in conditions necessitated by various taxing authorities. If the elements are in the order listed, the placement of the listed columns may be varied at the discretion and expense of the property appraiser, and the property appraiser may use printing technology and devices to complete the form, the spacing, and the placement of the information in the columns. A county officer may use a form other than that provided by the department for purposes of this part, but only if his or her office pays the related expenses and he or she obtains prior written permission from the executive director of the department; however, a county officer may not use a form the substantive content of which is at variance with the form prescribed by the department. The county officer may continue to use such an approved form until the law that specifies the form is amended or repealed or until the officer receives written disapproval from the executive director.

- (1) The notice *must shall* read as follows:

NOTICE OF PROPOSED PROPERTY TAXES  
DO NOT PAY—THIS IS NOT A BILL

The taxing authorities *that which* levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

- (2) The notice *must also shall further* contain information applicable to the specific parcel in question. The information *must shall* be in columnar form. There shall be five column headings which shall read: "Taxing Authority," "Your Property Taxes Last Year," "Your Taxes This Year IF PROPOSED Budget Change is Made," "A Public Hearing on the Proposed Taxes and Budget Will be Held:," and "Your Taxes This Year IF NO Budget Change is Made."

- (3) ~~There shall be~~ Under each column heading *there must be* an entry for the county; the school district levy required pursuant to s. 1011.60(6); other operating school levies; the municipality or municipal service taxing unit or units in which the parcel lies, if any; the water management district levying pursuant to s. 373.503; the independent special districts in which the parcel lies, if any; and for all voted levies for debt service applicable to the parcel, if any.

- (4) For each entry listed in subsection (3), ~~there shall appear on the notice~~ the following *must appear on the notice*:

- (a) In the first column, a brief, commonly used name for the taxing authority or its governing body. The entry in the first column for the levy required pursuant to s. 1011.60(6) shall be "By State Law." The entry for other operating school district levies shall be "By Local Board." Both school levy entries *must shall* be indented and preceded by the notation "Public Schools:". For each voted levy for debt service, the entry shall be "Voter Approved Debt Payments."

- (b) In the second column, the gross amount of ad valorem taxes levied against the parcel in the previous year. If the parcel did not exist in the previous year, the second column *must shall* be blank.

- (c) In the third column, the gross amount of ad valorem taxes proposed to be levied in the current year, which amount *is shall be* based on the proposed millage rates provided to the property appraiser pursuant to s. 200.065(2)(b) or, in the case of voted levies for debt service, the millage rate previously authorized by referendum, and the taxable value of the parcel as shown on the current year's assessment roll.

- (d) In the fourth column, the date, the time, and a brief description of the location of the public hearing required pursuant to s. 200.065(2)(c).

- (e) In the fifth column, the gross amount of ad valorem taxes which would apply to the parcel in the current year if each taxing authority were to levy the rolled-back rate computed pursuant to s. 200.065(1) or, in the case of voted levies for debt service, the amount previously authorized by referendum.

- (f) For special assessments collected utilizing the ad valorem method pursuant to s. 197.363, the previous year's assessment amount *must shall* be added to the ad valorem taxes shown in the second and fifth columns, and the amount proposed to be imposed for the current year *must shall* be added to the ad valorem taxes shown in the third column.

- (5) The amounts shown on each line preceding each entry for voted levies for debt service *must shall* include the sum of all ad valorem levies of the applicable unit of local government for operating purposes, including those of dependent special districts (except for municipal service taxing units, which *must shall* be listed on the line for municipalities), and all nonvoted or nondebt service special assessments imposed by the applicable unit of local government to be collected utilizing the ad valorem method.

- (6) Following the entries for each taxing authority, a final entry *must shall* show: in the first column, the words "Total Property Taxes:" and

in the second, third, and fifth columns, the sum of the entries for each of the individual taxing authorities. The second, third, and fifth columns shall, immediately below said entries, must be labeled Column 1, Column 2, and Column 3, respectively. Below these labels shall appear, in boldfaced type, the following statement must appear: SEE REVERSE SIDE FOR EXPLANATION.

(7) The notice must also shall further show a brief legal description of the property and the name and mailing address of the owner of record.

(8) The notice must also shall further read:

	Market Value	Assessed Value	Exemptions	Taxable Value
Your Property Value Last Year	\$ . . . .	\$ . . . .	\$ . . . .	\$ . . . . .
Your Property Value This Year	\$ . . . .	\$ . . . .	\$ . . . .	\$ . . . . .

If you feel that the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption that is not reflected above, contact your county property appraiser at (phone number) or (location).

If the property appraiser's office is unable to resolve the matter as to market value or an exemption, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the county property appraiser and must be filed ON OR BEFORE (date).

(9) The reverse side of the form shall read:

EXPLANATION

\*COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"

This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

\*COLUMN 2—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS MADE"

This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on the front side of this notice.

\*COLUMN 3—"YOUR TAXES IF NO BUDGET CHANGE IS MADE"

This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT INCREASE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

ASSESSED VALUE means:

- For homestead property: value as limited by the State Constitution;
- For agricultural and similarly assessed property: classified use value;
- For all other property: market value.

\*Note: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

(10) The bottom portion of the notice shall further read in bold, conspicuous print:

"Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district."

(11)(a) If requested by the local governing board levying non-ad valorem assessments and agreed to by the property appraiser, the notice specified in this section may contain a notice of proposed or adopted non-ad valorem assessments. If so agreed, the notice shall be titled:

NOTICE OF PROPOSED PROPERTY TAXES AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS DO NOT PAY—THIS IS NOT A BILL

There must be a clear partition between the notice of proposed property taxes and the notice of proposed or adopted non-ad valorem assessments. The partition must be a bold, horizontal line approximately 1/8-inch thick. By rule, the department shall provide a format for the form of the notice of proposed or adopted non-ad valorem assessments which meets the following minimum requirements:

1. There must be subheading for columns listing the levying local governing board, with corresponding assessment rates expressed in dollars and cents per unit of assessment, and the associated assessment amount.
  2. The purpose of each assessment must also be listed in the column listing the levying local governing board if the purpose is not clearly indicated by the name of the board.
  3. Each non-ad valorem assessment for each levying local governing board must be listed separately.
  4. If a county has too many municipal service benefit units or assessments to be listed separately, it shall combine them by function.
  5. A brief statement outlining the responsibility of the tax collector and each levying local governing board as to any non-ad valorem assessment must be provided on the form, accompanied by directions as to which office to contact for particular questions or problems.
- (b) If the notice includes all adopted non-ad valorem assessments, the provisions contained in subsection (10) may shall not be placed on the notice.

Section 7. Truth in spending.—For the purpose of providing truth in spending, local governments shall electronically post all revenues received and all expenditures made on the local government's official website if one is available, or on the county government's official website in all other cases. For the purpose of this section, the term local government includes counties, municipalities, school districts, water management districts, and any special district that has authority to levy ad valorem taxes or non-ad valorem assessments. By July 1, 2008, the Department of Revenue shall develop a uniform format that permits local governments to produce and report revenue and expenditure data on a substantially similar basis and that is highly comparable among the local governments. The uniform format must contain the standard categories of revenues and expenditures used by local governments in the annual financial report submitted to the Department of Financial Services under s. 218.32, Florida Statutes.

(1) The local governments shall begin electronically posting all revenues received and expenditures made during the previous fiscal year in a format that is accessible without charge to any individual who has Internet access using standard web-browsing software and in accordance with the following schedule:

- (a) By December 31, 2009, and annually thereafter, any county, municipality, or school district that has a population of 300,000 or more on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes, and all water management districts.
- (b) By December 31, 2010, and annually thereafter, any county, municipality, or school district that has a population of at least 50,000 but fewer than 300,000 on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes.
- (c) By December 31, 2011, and annually thereafter, any county, municipality, or school district that has a population of fewer than 50,000 on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes, and all special taxing districts, independent taxing districts, and any other taxing authority created by state law, a political subdivision, or referendum.

(2) The local governments shall also prepare a summary report of all revenues and expenditures electronically posted which shall be made available to the residents within the jurisdiction of the respective local

government by mail, newspaper advertisement, or in an electronic format posted on the appropriate website in accordance with the following schedule:

- (a) By February 1, 2010, and annually thereafter, the local governments subject to paragraph (1)(a).
- (b) By February 1, 2011, and annually thereafter, the local governments subject to paragraph (1)(b).
- (c) By February 1, 2012, and annually thereafter, the local governments subject to paragraph (1)(c).

Section 8. *Transparency in local government budgets.*—For the purpose of providing transparency in local government budgets, each local government shall provide electronic access to its budget information. For the purposes of this section, the term local government includes counties, municipalities, school districts, water management districts, and any special district that has authority to levy ad valorem taxes or non-ad valorem assessments. Not later than the date the notice of proposed property taxes and non-ad valorem assessments required under s. 200.069, Florida Statutes, is mailed, the local government shall electronically post its anticipated revenues, proposed budget, and tentative millage rate on the local government’s official website, if one is available, or on the county government’s official website in all other cases. Within 10 days after the adoption of the budget, the local government shall electronically post its adopted budget and millage rate. All county government official websites shall have a link to the websites of local governments within the county’s jurisdiction.

Section 9. *Transparency in local government contracting.*—For the purpose of providing transparency in local government contracting, local governments shall electronically post all contracts that are public records on the local government’s official website, if one is available, or on the county government’s official website in all other cases. For the purposes of this section, the term local government includes counties, municipalities, school districts, water management districts, and any special district that has authority to levy ad valorem taxes or non-ad valorem assessments. School district employment contracts are exempt from this section. The contracts shall be posted within 30 days of execution in accordance with the following schedule:

- (1) By November 1, 2007, any county, municipality, or school district that has a population of 300,000 or more on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes, and all water management districts, shall electronically post contracts of \$25,000 or more executed on or after October 1, 2007.
- (2) By November 1, 2008, any county, municipality, water management district, or school district that has a population of at least 50,000 but fewer than 300,000 on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes, shall electronically post contracts of \$15,000 or more executed on or after October 1, 2008.
- (3) By November 1, 2009, any county, municipality, or school district that has a population of fewer than 50,000 on April 1, 2007, as reported by the Office of Economic and Demographic Research under s. 186.901, Florida Statutes, and all special taxing districts, independent taxing districts, and any other taxing authority created by state law, a political subdivision, or referendum, shall electronically post contracts of \$5,000 or more executed on or after October 1, 2009.

Section 10. *By January 31, 2008, staff of the Senate and the House of Representatives shall conduct a study and submit a report to the President of the Senate and the Speaker of the House of Representatives relating to the administrative process for appealing property tax assessments provided in part I of chapter 194, Florida Statutes. Staff shall conduct the necessary research and shall develop detailed recommendations for legislation to improve the accessibility, fairness, efficiency, and disclosure of all levels of this process, including recommendations relating to forms, manuals, guidelines, training materials, checklists, other types of documentation, training activities, and taxpayer outreach at all levels of the appeal process.*

Section 11. *The sum of \$50,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for costs incurred in assisting legislative staff in gathering, compiling, and*

*analyzing data needed to prepare the report reviewing the administrative process for appealing property tax assessments.*

Section 12. This act shall take effect July 1, 2007, and the provisions of section 5 of this act apply to the January 2008 tax roll and subsequent tax rolls.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to local governments; amending s. 73.071, F.S.; requiring that the value of the expected future tax benefits for homestead property be compensated for in an eminent domain taking; creating s. 73.0725, F.S.; requiring the condemning authority in an eminent domain taking to determine the present value of the expected future tax benefit for homestead property; amending s. 163.31801, F.S.; requiring that a county, municipality, or special district hold certain public hearings before adopting an ordinance or resolution increasing an impact fee; amending s. 193.011, F.S.; clarifying the standard for determining highest and best use for purposes of deriving the just value of property; amending s. 195.052, F.S.; specifying data to be used for tabulating property value and taxation including information concerning ad valorem taxes and millage rates; requiring that such data be reported to the Department of Revenue for publication on the department’s website and all property appraiser websites, if available; amending s. 200.069, F.S.; requiring that the notice of proposed property taxes mailed to taxpayers include the county government’s official website address; requiring the electronic reporting of local government revenue and expenditure data; requiring the reporting of local government budgets; requiring the electronic reporting of local government contracts; providing for a study by legislative staff and a report; providing an appropriation; providing an effective date.

On motions by Senator Atwater, by two-thirds vote **CS for CS for HB 261** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

On motion by Senator Atwater, by two-thirds vote **HJR 7089** was withdrawn from the Committee on Finance and Tax.

On motions by Senator Atwater, by unanimous consent—

**HJR 7089**—A joint resolution proposing amendments to Sections 3, 6, and 9 of Article VII and the creation of Section 19 of Article VII and Section 27 of Article XII of the State Constitution to provide for an ad valorem tax exemption for tangible personal property, clarify that ad valorem tax relief to renters may be provided in the form of tax relief to the owner of the property, authorize counties and school districts to grant a homestead property exemption and impose a discretionary sales surtax upon approval by referendum, authorize qualified electors to petition for a grant of the homestead exemption and imposition of the surtax, provide a methodology for limiting increases in ad valorem taxes, increase the state sales and use tax to replace school district revenues lost from not imposing a required local effort on homestead property, and provide applicability, nonseverability, and an effective date.

—was taken up out of order and by two-thirds vote was read the second time by title.

Senators Haridopolos and Atwater offered the following amendment which was moved by Senator Atwater and adopted:

**Amendment 1 (184190)(with title amendment)**—Delete everything after the resolving clause and insert:

That the following amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution are 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 VII  
FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

(d) By general law and subject to conditions specified therein, there may be granted an ad valorem tax exemption to a renewable energy source device and to real property on which such device is installed and operated, to the value fixed by general law not to exceed the original cost of the device, and for the period of time fixed by general law not to exceed ten years.

(e) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(f) *By general law and subject to conditions specified therein, up to twenty-five thousand dollars of assessed value on each tangible personal property tax return may be exempt from ad valorem taxation.*

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(c) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided herein.

(1) Assessments subject to this provision shall be changed annually on January 1st of each year; but those changes in assessments shall not exceed the lower of the following:

a. Three percent (3%) of the assessment for the prior year.

b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

(2) No assessment shall exceed just value.

(3) After any change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, *unless the provisions of paragraph (8) apply*. Thereafter, the homestead shall be assessed as provided herein.

(4) New homestead property shall be assessed at just value as of January 1st of the year following the establishment of the homestead, *unless the provisions of paragraph (8) apply*. That assessment shall only change as provided herein.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; provided, however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided herein.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this amendment are severable. If any of the provisions of this amendment shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this amendment.

(8) *When a person sells or transfers his or her homestead property within this state or ceases to maintain his or her permanent residence on that property and within two years establishes another property as his or her new homestead, the newly established homestead property shall be initially assessed at less than just value, as provided by general law. The difference between the new homestead property's just value and its assessed value in the first year the homestead is established may not exceed the lesser of five hundred thousand dollars or the difference between the previous homestead's just value and its assessed value in the year it was sold or transferred or ceased to be its owner's permanent residence. In addition, to be assessed as provided in this paragraph, the assessed value of the new homestead must equal or exceed the assessed value of the previous homestead. The assessed value of the homestead shall increase by 10 percent each year until it equals the just value of the homestead in the first year it was established, adjusted each year following establishment of the homestead as provided in paragraph (1) of this subsection. Thereafter, the assessed value of the homestead shall not be adjusted except as provided in paragraph (1) of this subsection.*

(d) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(e) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters

are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

- (1) The increase in assessed value resulting from construction or reconstruction of the property.
- (2) Twenty percent of the total assessed value of the property as improved.

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of ~~twenty-five~~ five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. *The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption shall stand repealed on the effective date of any amendment to section 4 which provides for the assessment of homestead property at a specified percentage of its just value.*

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) *As provided by general law, each person who is entitled to a homestead exemption as provided in this section and who has never previously owned homestead property in this state or elsewhere is entitled to an additional homestead exemption if the difference between the just value of that homestead and its assessed value as provided under subsection (c) of section 4 is less than twenty-five thousand dollars. The additional homestead exemption shall equal twenty-five thousand dollars less the difference between the just value of that homestead and its assessed value as provided under subsection (c) of section 4.*

~~(c) By general law and subject to conditions specified therein, the exemption shall be increased to a total of twenty-five thousand dollars of the assessed value of the real estate for each school district levy. By general law and subject to conditions specified therein, the exemption for all other levies may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled and if the owner is not entitled to the exemption provided in subsection (d).~~

~~(d) By general law and subject to conditions specified therein, the exemption shall be increased to a total of the following amounts of assessed value of real estate for each levy other than those of school districts: fifteen thousand dollars with respect to 1980 assessments; twenty thousand dollars with respect to 1981 assessments; twenty-five thousand dollars with respect to assessments for 1982 and each year thereafter. However, such increase shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This subsection shall stand repealed on the effective date of any amendment to section 4 which provides for the assessment of homestead property at a specified percentage of its just value.~~

~~(d)(e)~~ By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

~~(e)(f)~~ The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty

thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

~~(f)(g)~~ Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

ARTICLE XII  
SCHEDULE

*Tangible personal property tax exemption, limitations on homestead property assessments, and additional homestead exemption.—The amendments to Sections 3, 4, and 6 of Article VII, providing an exemption from ad valorem taxation for tangible personal property, authorizing portability of the limitations on the assessment of homestead property, and providing an additional homestead exemption for first-time homestead property owners, shall take effect January 1, 2009.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENTS  
ARTICLE VII, SECTIONS 3, 4, AND 6  
ARTICLE XII

TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY; LIMITATIONS ON HOMESTEAD PROPERTY ASSESSMENTS; AND ADDITIONAL HOMESTEAD EXEMPTION.—Proposing amendments to the State Constitution to authorize, by general law, an exemption from ad valorem taxation of up to \$25,000 of assessed value on each tangible personal property tax return and to schedule the amendment to take effect January 1, 2009; to authorize the assessment of new homestead property at less than just value if the new homestead is established within 2 years after the prior homestead is given up, to provide that the difference between the new property's just value and its assessed value in the first year may not exceed the lesser of \$500,000 or the difference between the previous homestead's just value and its assessed value in the year of sale, to provide that the assessed value of the new homestead must equal or exceed the assessed value of the previous homestead, to provide for a 10-percent annual increase in the assessment for a limited period, and to schedule the amendment to take effect January 1, 2009; and to create an additional homestead exemption for first-time homestead property owners which, if the difference between the just value of the homestead property and its assessed value is less than \$25,000, equals \$25,000 less the difference between the homestead's just value and its assessed value, and to schedule the amendment to take effect January 1, 2009.

And the title is amended as follows:

Delete everything before the resolving clause and insert: House Joint Resolution A joint resolution proposing amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution, to authorize an exemption from ad valorem taxation for tangible personal property, to authorize portability of the limitation in the difference between the just value and the assessed value for homestead property, to create an additional homestead exemption for first-time homestead property owners, and to provide an effective date if such amendments are adopted.

On motions by Senator Atwater, by two-thirds vote **HJR 7089** as amended was read the third time in full as follows: House Joint Resolution A joint resolution proposing amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution, to authorize an exemption from ad valorem taxation for tangible personal property, to authorize portability of the limitation in the difference between the just value and the assessed value for homestead property, to create an additional homestead exemption for first-time homestead property owners, and to provide an effective date if such amendments are adopted.

*Be It Resolved by the House of Representatives of the State of Florida:*

That the following amendments to Sections 3, 4, and 6 of Article VII and the creation of a new section in Article XII of the State Constitution are 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 VII FINANCE AND TAXATION

##### SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

(d) By general law and subject to conditions specified therein, there may be granted an ad valorem tax exemption to a renewable energy source device and to real property on which such device is installed and operated, to the value fixed by general law not to exceed the original cost of the device, and for the period of time fixed by general law not to exceed ten years.

(e) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(f) *By general law and subject to conditions specified therein, up to twenty-five thousand dollars of assessed value on each tangible personal property tax return may be exempt from ad valorem taxation.*

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(c) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided herein.

(1) Assessments subject to this provision shall be changed annually on January 1st of each year; but those changes in assessments shall not exceed the lower of the following:

a. Three percent (3%) of the assessment for the prior year.

b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

(2) No assessment shall exceed just value.

(3) After any change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, *unless the provisions of paragraph (8) apply*. Thereafter, the homestead shall be assessed as provided herein.

(4) New homestead property shall be assessed at just value as of January 1st of the year following the establishment of the homestead, *unless the provisions of paragraph (8) apply*. That assessment shall only change as provided herein.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; provided, however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided herein.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this amendment are severable. If any of the provisions of this amendment shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this amendment.

(8) *When a person sells or transfers his or her homestead property within this state or ceases to maintain his or her permanent residence on that property and within two years establishes another property as his or her new homestead, the newly established homestead property shall be initially assessed at less than just value, as provided by general law. The difference between the new homestead property's just value and its assessed value in the first year the homestead is established may not exceed the lesser of five hundred thousand dollars or the difference between the previous homestead's just value and its assessed value in the year it was sold or transferred or ceased to be its owner's permanent residence. In addition, to be assessed as provided in this paragraph, the assessed value of the new homestead must equal or exceed the assessed value of the previous homestead. The assessed value of the homestead shall increase by 10 percent each year until it equals the just value of the homestead in the first year it was established, adjusted each year following establishment of the homestead as provided in paragraph (1) of this subsection. Thereafter, the assessed value of the homestead shall not be adjusted except as provided in paragraph (1) of this subsection.*

(d) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(e) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

- (1) The increase in assessed value resulting from construction or reconstruction of the property.
- (2) Twenty percent of the total assessed value of the property as improved.

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of ~~twenty-five~~ five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. *The exemption shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This exemption shall stand repealed on the effective date of any amendment to section 4 which provides for the assessment of homestead property at a specified percentage of its just value.*

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) *As provided by general law, each person who is entitled to a homestead exemption as provided in this section and who has never previously owned homestead property in this state or elsewhere is entitled to an additional homestead exemption if the difference between the just value of that homestead and its assessed value as provided under subsection (c) of section 4 is less than twenty-five thousand dollars. The additional homestead exemption shall equal twenty-five thousand dollars less the difference between the just value of that homestead and its assessed value as provided under subsection (c) of section 4.*

~~(c) By general law and subject to conditions specified therein, the exemption shall be increased to a total of twenty-five thousand dollars of the assessed value of the real estate for each school district levy. By general law and subject to conditions specified therein, the exemption for all other levies may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled and if the owner is not entitled to the exemption provided in subsection (d).~~

~~(d) By general law and subject to conditions specified therein, the exemption shall be increased to a total of the following amounts of assessed value of real estate for each levy other than those of school districts: fifteen thousand dollars with respect to 1980 assessments; twenty thousand dollars with respect to 1981 assessments; twenty-five thousand dollars with respect to assessments for 1982 and each year thereafter. However, such increase shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This subsection shall stand repealed on the effective date of any amendment to section 4 which provides for the assessment of homestead property at a specified percentage of its just value.~~

(d)(e) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(e)(f) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies and subject to the provisions of general law, to grant an additional homestead tax exemption not exceeding fifty thousand dollars to any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner and who has attained age sixty-five and whose household income, as defined by general law, does not exceed twenty thousand dollars. The general law must allow counties and municipalities to grant this additional exemption, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(f)(g) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related, the veteran was a resident of this state at the time of entering the military service of the United States, and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this subsection, an applicant must submit to the county property appraiser, by March 1, proof of residency at the time of entering military service, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related, and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years. This subsection shall take effect December 7, 2006, is self-executing, and does not require implementing legislation.

ARTICLE XII  
SCHEDULE

*Tangible personal property tax exemption, limitations on homestead property assessments, and additional homestead exemption.—The amendments to Sections 3, 4, and 6 of Article VII, providing an exemption from ad valorem taxation for tangible personal property, authorizing portability of the limitations on the assessment of homestead property, and providing an additional homestead exemption for first-time homestead property owners, shall take effect January 1, 2009.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENTS  
ARTICLE VII, SECTIONS 3, 4, AND 6  
ARTICLE XII

TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY; LIMITATIONS ON HOMESTEAD PROPERTY ASSESSMENTS; AND ADDITIONAL HOMESTEAD EXEMPTION.—Proposing amendments to the State Constitution to authorize, by general law, an exemption from ad valorem taxation of up to \$25,000 of assessed value on each tangible personal property tax return and to schedule the amendment to take effect January 1, 2009; to authorize the assessment of new homestead property at less than just value if the new homestead is established within 2 years after the prior homestead is given up, to provide that the difference between the new property's just value and its assessed value in the first year may not exceed the lesser of \$500,000 or the difference between the previous homestead's just value and its assessed value in the year of sale, to provide that the assessed value of the new homestead must equal or exceed the assessed value of the previous homestead, to provide for a 10-percent annual increase in the assessment for a limited period, and to schedule the amendment to take effect January 1, 2009; and to create an additional homestead exemption for first-time homestead property owners which, if the difference between the just value of the homestead property and its assessed value is less than \$25,000, equals \$25,000 less the difference between the homestead's just value and its assessed value, and to schedule the amendment to take effect January 1, 2009.

—and **HJR 7089** as amended passed by the required constitutional three-fifths vote of the membership, and was immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

On motion by Senator Haridopolos, by two-thirds vote **CS for HB 1483** was withdrawn from the Committee on Finance and Tax.

On motions by Senator Haridopolos, by unanimous consent—

**CS for HB 1483**—A bill to be entitled An act relating to local government revenue sources; requiring a super majority vote for actions by a local government to levy new, increase existing, expand a base or area subject to, or eliminate an exemption from taxes, special assessments, non-ad valorem assessments, or impact fees; requiring a super majority vote of electors voting in referenda on laws taking the same actions; providing an exception for certain emergencies; providing for nonapplication to certain other revenue sources; providing a definition; providing an effective date.

—was taken up out of order and by two-thirds vote was read the second time by title.

Senator Haridopolos moved the following amendment which was adopted:

**Amendment 1 (891138)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 193.017, Florida Statutes, is amended to read:

193.017 Low-income housing tax credit.—Property used for affordable housing which has received a low-income housing tax credit from the Florida Housing Finance Corporation, as authorized by s. 420.5099, shall be assessed under s. 193.011 using an income approach and, consistent with s. 420.5099(5) and (6), pursuant to this section.

(1) The tax credits granted and the financing generated by the tax credits may not be considered as income to the property.

(2) The actual rental income from rent-restricted units in such a property shall be recognized by the property appraiser.

(3) Any costs paid for by tax credits and costs paid for by additional financing proceeds received under chapter 420 may not be included in the valuation of the property.

(4) If an extended low-income housing agreement is filed in the official public records of the county in which the property is located, the agreement, and any recorded amendment or supplement thereto, shall be considered a land-use regulation and a limitation on the highest and best use of the property during the term of the agreement, amendment, or supplement.

Section 2. Section 193.018, Florida Statutes, is created to read:

193.018 Just valuation for affordable housing.—For the purpose of securing the just valuation of property under s. 193.011 which is subject to a land use agreement or other agreement that restricts the use of the property to affordable housing for a period of 20 years and that is recorded in the official public records of the county in which the property is located, the property appraiser shall use an income approach based on the actual rental income from the rent-restricted units on the property for calculating the assessment of the following property:

(1) Property that is funded and the rent restricted by the United States Department of Housing and Urban Development under s. 8 of the United States Housing Act of 1937; that provides affordable housing for eligible persons as defined by s. 159.603, the elderly, extremely-low-income persons, or very-low-income persons as defined by s. 420.0004, and that has undergone financial restructuring as provided in s. 501, Title V, Subtitle A of the Multifamily Assisted Housing Reform and Affordability Act of 1997.

(2) Rental property for multifamily housing, farmworkers, or the elderly which is funded and the rent restricted by the Florida Housing Finance Corporation under s. 420.5087, s. 420.5089, or s. 420.5095, the State Housing Initiatives Partnership Program under s. 420.9072, s. 420.9075, or s. 42 of the Internal Revenue Code, 26 U.S.C. s. 42; the HOME Investment Partnership Program under the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. ss. 12741 et seq.; or the Federal Home Loan Bank's Affordable Housing Program established pursuant to the Financial Institutions Reform, Recovery and Enforcement Act of 1989, Pub. L. No. 101-73.

(3) Multifamily residential rental property of 10 or more units which is certified as being deed restricted by the public local housing agency as having 100 percent of its units used for affordable housing for extremely-low-income persons, very-low-income persons, low-income persons, or moderate-income persons, as defined by s. 420.0004.

Section 3. This act shall take effect July 1, 2007.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to affordable housing; amending s. 193.017, F.S.; requiring appraisers to use an income approach when assessing affordable housing property that has a low-income tax credit; creating s. 193.018, F.S.; providing for the just valuation of affordable housing property; requiring property appraisers to use an income approach when assessing such property; specifying the kinds of property subject to the assessment; providing an effective date.

On motions by Senator Haridopolos, by two-thirds vote **CS for HB 1483** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Argenziano	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise

Nays—None

**MOTIONS**

On motion by Senator Haridopolos, the House was requested to concur in the Senate Amendments to **CS for HB 7001**, **CS for CS for HB 261**, **HJR 7089** and **CS for HB 1483** and pass the bills as amended; and in the event the House refuses to concur, moved that a conference committee be appointed.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Dockery, by two-thirds vote **CS for SB 988** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Saunders, by two-thirds vote **SB 2122** was withdrawn from the Committee on Agriculture; **SB 2032** was withdrawn

from the Committee on Community Affairs; **CS for SB 1896** was withdrawn from the Committee on Criminal and Civil Justice Appropriations; **SB 1156** was withdrawn from the Committee on Education Pre-K - 12; **CS for SB 390** and **SB 552** were withdrawn from the Committee on General Government Appropriations; and **SB 750** was withdrawn from the Committee on Higher Education.

On motion by Senator Constantine, by two-thirds vote **SB 1492** was withdrawn from the Committee on General Government Appropriations; **CS for SB 2836** was withdrawn from the Committee on Regulated Industries; and **CS for CS for SB 996**, **CS for SB 1198** and **CS for SB 1200** were withdrawn from the Committee on Finance and Tax.

**MOTIONS**

On motion by Senator King, by two-thirds vote **CS for SB 412** and **SM 1680** which passed April 18 were ordered immediately certified to the House.

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator Dockery, the rules were waived and the Committee on Criminal Justice was granted permission to add **SB 234** to the agenda at the meeting on April 23.

**REPORTS OF COMMITTEES**

The Fiscal Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 19, 2007: **CS for SB 1020**, **CS for SJR 3034**, **CS for SB 1022**

Respectfully submitted,  
*Lisa Carlton, Chair*

The Committee on Community Affairs recommends the following pass: **SB 840**; **SB 1778** with 1 amendment

**The bills were referred to the Committee on Finance and Tax under the original reference.**

The Committee on Governmental Operations recommends the following pass: **CS for SB 2744**

**The bill was referred to the Committee on General Government Appropriations under the original reference.**

The Committee on Community Affairs recommends the following pass: **SB 2224**

The Committee on Environmental Preservation and Conservation recommends the following pass: **SB 2082** with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.**

The Committee on Governmental Operations recommends the following pass: **SB 2404**

**The bill was referred to the Committee on Higher Education Appropriations under the original reference.**

The Committee on Community Affairs recommends the following pass: **SB 1006** with 1 amendment

**The bill was referred to the Committee on Judiciary under the original reference.**

The Committee on Environmental Preservation and Conservation recommends the following pass: **SB 2994**

The Committee on Governmental Operations recommends the following pass: **SB 950**; **SB 1510**

**The bills contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

The Committee on Community Affairs recommends the following pass: **SB 882**

**The bill was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.**

The Committee on Community Affairs recommends the following pass: **SB 1562**

The Committee on Governmental Operations recommends the following pass: **SB 690**

**The bills contained in the foregoing reports were placed on the calendar.**

The Committee on Judiciary recommends committee substitutes for the following: **SB 1558**; **SB 2118**

**The bills with committee substitutes attached were referred to the Committee on Commerce under the original reference.**

The Committee on Judiciary recommends a committee substitute for the following: **SB 914**

**The bill with committee substitute attached was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.**

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: **CS for SB 2136**

The Committee on Governmental Operations recommends a committee substitute for the following: **SB 644**

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Facilities Appropriations under the original reference.**

The Committee on Judiciary recommends a committee substitute for the following: **SB 2200**

**The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.**

The Committee on Communications and Public Utilities recommends committee substitutes for the following: **SB 2024**; **SB 2026**

**The bills with committee substitutes attached were referred to the Committee on Environmental Preservation and Conservation under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: **SB 2124**

**The bill with committee substitute attached was referred to the Committee on Finance and Tax under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1864

**The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.**

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB's 2348 and 2582

**The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.**

The Committee on Ethics and Elections recommends committee substitutes for the following: Senate Bills 960 and 1010; SB 962; SB 1174

**The bills with committee substitutes attached were referred to the Committee on Judiciary under the original reference.**

The Committee on Governmental Operations recommends committee substitutes for the following: SB 2406; SB 2612

**The bills with committee substitutes attached were referred to the Committee on Rules under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 2188

The Committee on Judiciary recommends a committee substitute for the following: SB 1592

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 1764

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for CS for SB 930

The Committee on Judiciary recommends committee substitutes for the following: CS for SB's 352 and 240; SB 900; SB 1770; CS for SB 2022

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

**REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS**

The Committee on Community Affairs recommends that the Senate confirm the following appointment made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Community Affairs	
Appointee: Pelham, Thomas G.	Pleasure of Governor

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointment made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Fish and Wildlife Conservation Commission	
Appointee: Barreto, Rodney L.	08/01/2011

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committees on Judiciary; Banking and Insurance; and Senators Margolis, Bullard, Crist and Fasano—

**CS for CS for SB's 352 and 240**—A bill to be entitled An act relating to real property fraud; creating s. 817.545, F.S.; defining the term "mortgage lending process"; specifying the elements of the offense of real property fraud; providing that such offense is a third-degree felony; providing for venue with respect to the committed offense; providing penalties; providing an effective date.

By the Committee on Governmental Operations; and Senator Lynn—

**CS for SB 644**—A bill to be entitled An act relating to naming state university buildings and other facilities; amending s. 267.062, F.S.; providing for the naming of the facilities of a state university for a living person by the university in accordance with the rules of the Board of Governors of the State University System; amending s. 1013.79, F.S.; authorizing a university board of trustees to name a building in accordance with s. 267.062, F.S.; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

**CS for SB 900**—A bill to be entitled An act relating to initiative petitions; providing a short title; amending s. 100.371, F.S.; requiring initiative petition forms to be signed by the constitutionally required distribution of electors; providing procedures for revocation of a signature on a petition form; providing an effective date.

By the Committee on Judiciary; and Senators Crist, Lawson, Fasano, Rich, Wilson, Joyner and Lynn—

**CS for SB 914**—A bill to be entitled An act relating to court fees and penalties; amending s. 57.082, F.S.; providing for an indigent person whose income is equal to or below a specified threshold to have court fees waived; amending s. 57.085, F.S.; revising requirements regarding the deferral of prepayment of court costs and fees for indigent prisoners to include indigent persons being held in custody pending trial; amending s. 318.18, F.S.; providing for the use of surplus revenues generated by traffic-infraction surcharges imposed by certain units of local government; providing an exception for prohibiting a county from imposing certain surcharges concurrently; providing an effective date.

By the Committees on Health and Human Services Appropriations; Governmental Operations; Health Policy; and Senators Dawson, Garcia, Crist, Saunders, Joyner, Dockery and Fasano—

**CS for CS for CS for SB 930**—A bill to be entitled An act relating to medical assistance; amending s. 409.811, F.S.; revising and providing definitions relating to the Florida Kidcare Act; amending s. 409.812, F.S.; revising the purpose of the Florida Kidcare program; amending s. 409.813, F.S.; revising the funding sources for the health benefits coverage provided to children under the program; amending s. 409.8132, F.S.; revising the eligibility and enrollment requirements in the Medikids program component; amending s. 409.8134, F.S.; revising enrollment procedures; amending s. 409.814, F.S.; revising eligibility requirements for the program; creating s. 409.8141, F.S.; specifying requirements for premium assistance eligibility; creating s. 409.8142, F.S.; specifying penalties for fraudulent actions, failure to verify eligibility, and nonpayment of premiums; creating s. 409.8149, F.S.; specifying enrollment procedures and requirements for plan choice; amending s. 409.815, F.S.; revising the health benefits coverage of the Florida Kidcare program; amending s. 409.816, F.S.; revising the limitations on premiums and cost-sharing; amending s. 409.817, F.S.; revising the qualifications for

health insurance plans serving the program; amending s. 409.818, F.S.; specifying the duties and responsibilities of the Department of Children and Family Services, the Department of Health, the Agency for Health Care Administration, the Florida Healthy Kids Corporation, and the Office of Insurance Regulation pertaining to the administration of the Florida Kidcare program; repealing s. 409.820, F.S., relating to quality assurance and access standards; amending s. 409.821, F.S.; clarifying that provisions exempting certain records from public-records requirements does not prevent an enrollee's parent or guardian from obtaining records and information concerning the enrollee; creating s. 409.830, F.S.; establishing the Florida Kidcare Program Consolidation Initiative, which shall combine the administration of the program; creating a deputy secretary of Florida Kidcare within the Agency for Health Care Administration; amending s. 624.91, F.S.; revising provisions of the Florida Healthy Kids Corporation Act; deleting certain eligibility requirements; providing for the transfer of functions to the Agency for Health Care Administration and the Department of Children and Family Services; repealing s. 624.91, F.S., relating to the Florida Healthy Kids Corporation; requiring a consolidation transition plan; providing an appropriation and authorizing additional positions; providing effective dates.

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By the Committee on Ethics and Elections; and Senators Constantine and Ring—

**CS for SB's 960 and 1010**—A bill to be entitled An act relating to elections; amending s. 103.121, F.S.; revising the dates relating to the presidential preference primary; amending s. 101.75; authorizing municipalities to move their election date by ordinance to coincide with the presidential preference primary; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce certain marksense ballots; creating s. 101.56075, F.S.; requiring all voting to be by marksense ballot; providing an exemption for voters with disabilities; amending s. 101.5612, F.S.; requiring the use of certain marksense ballots for pre-election testing; amending s. 101.591, F.S.; requiring post-election, random audits of voting systems; providing general audit procedures; mandating that audit results be reported to the Department of State; prescribing requirements for audit reports; granting rulemaking authority to the department to adopt detailed, uniform audit procedures and a standard audit reporting form; providing procedures for the purchase of new voting systems and ballot equipment and the disposition of existing touchscreen voting systems for certain counties; authorizing the Department of State to purchase optical scan voting equipment and ballot-on-demand equipment for certain counties; appropriating funds for such purpose; amending s. 97.041, F.S.; authorizing qualified persons to preregister to vote on or after receipt of a valid driver's license; amending s. 97.053, F.S.; requiring an applicant for voter registration to be notified when the application cannot be verified; providing for registration upon presentation of evidence of a driver's license number, identification card number, or the last four digits of the applicant's social security number; changing the time within which a person casting a provisional ballot may present evidence of eligibility to vote; changing the time for voter registrations to be entered into the statewide voter registration system; amending s. 99.021, F.S.; prescribing form of oath for candidates for federal office; amending s. 99.061, F.S.; prescribing times for qualifying for nomination or election; prescribing specific procedures for qualifying for special district office; providing that the filing fee of a candidate for a special district election need not be drawn on a campaign account; amending s. 99.095, F.S.; prescribing the number of signatures required for a candidate for special district office to qualify by petition; prescribing the time for certification to the Division of Elections of certain candidates qualifying by petition; amending s. 99.096, F.S.; changing manner of candidate selection by minor political parties; repealing s. 99.0965, F.S., relating to the selection of minor party candidates; amending s. 100.041, F.S.; prescribing the time when a county commissioner is deemed elected; amending s. 100.061, F.S.; changing the date of the primary election; amending s. 100.191, F.S.; revising the time for canvassing special election returns; amending s. 101.043, F.S.; revising forms of identification accepted at the polls; amending s. 101.048, F.S.; changing the time within which a person casting a provisional ballot may present evidence of eligibility to vote; amending s. 101.6103, F.S.; changing the time to begin canvassing mail ballots; amending s. 101.62, F.S.; revising the period of effectiveness of a request for an absentee ballot; revising the time for sending an absentee ballot to an overseas elector; revising time period for providing absentee ballots; amending s. 101.68, F.S.; changing the time to begin canvassing absentee ballots;

amending s. 102.112, F.S.; changing the deadline for submitting county returns to the Department of State; amending s. 102.141, F.S.; requiring submission of preliminary returns in certain format by election night to the Department of State; changing the time to submit unofficial returns; amending s. 102.166, F.S.; conforming a cross-reference; amending s. 103.081, F.S.; allowing political parties to file with the Department of State names of groups associated with a party; prescribing conditions on the use of those filed names; amending s. 103.091, F.S.; revising the number of and the qualifications for state committeemen and committeewomen; changing the times for qualifying for election to a political party executive committee; amending s. 103.141, F.S.; providing that officers and members of a county executive committee may be removed from office pursuant to s. 103.161; repealing s. 103.151, F.S., relating to the removal of a state executive committee member for violation of the member's oath of office; creating s. 103.161, F.S.; providing for the removal of officers and members of a state or county executive committee for violation of the officer's or member's oath of office; prescribing procedures for such removal and restrictions after removal; amending s. 105.031, F.S.; changing the times for qualifying for school board candidates; amending s. 106.021, F.S.; revising qualifications for a campaign treasurer and deputy treasurer for a candidate or political committee; amending s. 106.04, F.S.; authorizing certain entities to collect and forward membership dues to committees of continuous existence; amending s. 106.055, F.S.; prescribing valuation method for travel on a private aircraft; amending s. 106.09, F.S.; revising prohibition on making or accepting a cash contribution; amending s. 106.143, F.S.; providing disclosure requirements for political advertisements made pursuant to s. 106.021(3)(d), F.S.; providing certain disclosure requirements for political advertisements paid for jointly or in kind; amending s. 106.17, F.S.; revising who may authorize or conduct polls or surveys relating to candidates; amending s. 106.25, F.S.; revising requirements for complaints filed alleging violations of chapters 106 and 104, F.S.; revising procedures after certain complaints are filed; providing for the withdrawal of certain complaints; providing for the Florida Elections Commission to maintain a searchable database of all final orders and agency actions and providing requirements for such database; amending s. 106.35, F.S.; revising the time for the Division of Elections to distribute funds to candidates; amending s. 112.51, F.S.; providing for filling vacancies created when a municipal officer has been removed from office; repealing s. 106.37, F.S., relating to willful violations of campaign finance laws; amending s. 189.405, F.S.; revising qualification procedures for candidates for special district office; amending s. 191.005, F.S.; revising qualification procedures for candidates for independent special fire control district boards of commissioners; amending s. 582.18, F.S.; revising qualification procedures for candidates for soil and water conservation district supervisors; amending s. 876.05, F.S.; exempting candidates for federal office from taking the public employees' oath; providing effective dates.

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By the Committee on Ethics and Elections; and Senators Constantine and Justice—

**CS for SB 962**—A bill to be entitled An act relating to voting systems; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce certain marksense ballots; creating s. 101.56075, F.S.; requiring all voting to be by marksense ballot; providing an exemption for voters with disabilities; amending s. 101.5612, F.S.; requiring the use of certain marksense ballots for pre-election testing; amending s. 101.591, F.S.; requiring post-election, random audits of voting systems; providing general audit procedures; mandating that audit results be reported to the Department of State; prescribing requirements for audit reports; granting rulemaking authority to the department to adopt detailed, uniform audit procedures and a standard audit reporting form; providing procedures for the purchase of new voting systems and ballot equipment and the disposition of existing touchscreen voting systems for certain counties; authorizing the Department of State to purchase optical scan voting equipment and ballot-on-demand equipment for certain counties; appropriating funds for such purpose; providing effective dates.

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By the Committee on Ethics and Elections; and Senators Dockery and Villalobos—

**CS for SB 1174**—A bill to be entitled An act relating to electronic voting systems; amending s. 101.5603, F.S.; providing definitions relat-

ing to electronic voting systems; amending s. 101.5606, F.S.; providing additional capabilities that an electronic voting system must possess before being approved for use; amending s. 101.56062, F.S.; revising standards for accessible voting systems; creating s. 101.56075, F.S.; providing requirements for voting methods at polling places; amending s. 101.591, F.S.; revising procedures for audits of voting machines; amending s. 102.166, F.S.; revising methods for manual recounts of ballots; amending s. 97.021, F.S.; revising cross-references; providing an appropriation; providing effective dates.

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By the Committee on Judiciary; and Senator Ring—

**CS for SB 1558**—A bill to be entitled An act relating to apportionment of damages; amending s. 768.81, F.S.; requiring the division of total fault for an occurrence only among the plaintiff, parties who may be held legally liable, and specified nonparties; providing for joinder of additional parties and allocation of fault to certain nonparties; providing legislative intent; providing for application; providing an effective date.

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By the Committee on Judiciary; and Senator Bennett—

**CS for SB 1592**—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; defining the term “unadopted rule”; amending s. 120.54, F.S.; prohibiting any agency from delegating responsibilities to conduct a public hearing; revising dates for filing rules for adoption; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties of the Administrative Procedures Committee and agencies with respect to review of agency rules; providing for a legislative committee to request agency information for examination of an unadopted rule; prescribing responses that may be made by an agency to a committee objection to a rule or statement of estimated regulatory costs; prescribing presumptions resulting from an agency’s refusal to respond to committee objections; amending s. 120.56, F.S.; revising notice requirements with respect to challenges of proposed rules; requiring an agency to discontinue reliance on a statement when an administrative determination is sought with respect to the statement; allowing continued reliance on a statement when an administrative law judge determines that the inability to rely on it would constitute an immediate danger; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; prescribing procedures with respect to challenges to unadopted rules; amending s. 120.595, F.S.; increasing maximum attorney’s fees; revising guidelines for award of attorney’s fees in challenges to agency action; providing for attorney’s fees and costs in certain circumstances; amending s. 120.55, F.S.; conforming a cross-reference; providing effective dates.

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By the Committee on Community Affairs; and Senator Saunders—

**CS for SB 1764**—A bill to be entitled An act relating to the South Florida Water Management District; amending s. 373.073, F.S.; providing for two additional members to be appointed to the governing board of the South Florida Water Management District; revising the residence requirements for the members of the governing board; providing an effective date.

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By the Committee on Judiciary; and Senator Lynn—

**CS for SB 1770**—A bill to be entitled An act relating to the use of technology to supplement visitation; amending s. 61.046, F.S.; defining the term “electronic communication”; creating s. 61.13002, F.S.; authorizing a court to order electronic communication between a parent and a child; specifying factors a court must consider before ordering electronic communication; creating a rebuttable presumption in favor of telephone communication; requiring each parent to furnish the other parent with information necessary to facilitate electronic communication; declaring that electronic communication may be used only to supplement, not supplant, a parent’s face-to-face contact with his or her child; authorizing a person to seek court-ordered electronic communication without proving a substantial change in circumstances; prohibiting

the consideration of electronic communication as a factor in determining child support; providing applicability; providing an effective date.

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By the Committees on Community Affairs; Banking and Insurance; and Senator Posey—

**CS for CS for SB 1864**—A bill to be entitled An act relating to hurricane damage mitigation; amending s. 215.5586, F.S.; redesignating the Florida Comprehensive Hurricane Damage Mitigation Program as the “My Safe Florida Home Program”; providing additional duties of the Department of Financial Services; revising criteria and requirements for hurricane mitigation inspections; requiring the department to contract with certain entities to provide hurricane mitigation inspections; revising the requirements for such inspections; providing for a hurricane resistance rating scale as adopted by the Financial Services Commission; revising the requirements for an entity to be selected by the department to perform inspections; providing qualification requirements for certain licensed professionals; providing requirements for a homeowner with respect to applying for an inspection; revising requirements for mitigation grants; limiting the purposes for which a grant may be used; providing for priorities of grants; requiring the department to develop a grant applications verification and collection process; authorizing the department to undertake a statewide consumer information campaign; requiring the advisory council to advise and assist the department in administering the program; expanding the department’s authorization to enhance financial resource funding of the program; revising the department’s rulemaking authority; deleting provisions authorizing the department to contract with not-for-profit corporations; requiring the department to maintain a list of authorized hurricane mitigation inspectors; authorizing the department to develop a no-interest loan program; providing program requirements and limitations; requiring the department to pay certain creditors from funds appropriated for the program; providing loan eligibility criteria; authorizing the department to set aside certain funds for program purposes; requiring the department to adopt rules; providing for public outreach for contractors, real estate brokers, and licensed sales associates; authorizing the department to contract for grants management, inspection services, education outreach, and auditing services; providing additional legislative intent; requiring the department to make annual reports to the Legislature concerning the program; providing report requirements; amending s. 489.115, F.S.; including wind mitigation methodologies under certain continuing education requirements for contractors; amending ss. 4, 39, and 42 of ch. 2006-12, Laws of Florida; providing conforming changes to the redesignation of the Florida Comprehensive Hurricane Damage Mitigation Program; providing legislative intent; requiring the Office of Insurance Regulation, in consultation with the Department of Community Affairs and the Florida Building Commission, to conduct wind-loss mitigation studies; providing requirements for the studies; requiring a report to the Governor, the Legislature, the Chief Financial Officer, and the Commissioner of Insurance Regulation; creating s. 553.844, F.S.; providing legislative findings concerning the need to prevent property damage caused by hurricanes; requiring the Florida Building Commission to adopt amendments to the Florida Building Code, including requirements for certain buildings constructed before the implementation of the code; providing requirements for such amendments; providing requirements for buildings located in a wind-borne debris region; amending s. 627.351, F.S.; requiring that a residential structure located in a wind-borne debris region have certain opening protections required under the Florida Building Code in order to be eligible for coverage by the Citizens Property Insurance Corporation; providing an effective date.

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By the Committees on Judiciary; Health Regulation; and Senators Bennett and Rich—

**CS for CS for SB 2022**—A bill to be entitled An act relating to immunization services; providing a short title; amending s. 465.003, F.S.; revising a definition relating to the practice of pharmacists; creating s. 465.189, F.S.; authorizing pharmacists to administer influenza virus immunizations to adults; providing requirements with respect thereto; requiring that the protocol between a pharmacist and supervising physician contain certain information, terms, and conditions; requiring that pharmacists authorized to administer influenza virus immunizations provide evidence of current certification by the Centers for Dis-

ease Control of the United States Department of Health to the supervising physician; requiring supervising physicians to review certain information in accordance with the written protocol; creating the Task Force for the Study of Biotech Competitiveness; providing for staff support by the Governor's Office of Tourism, Trade, and Economic Development; providing for appointment of members; requiring a study; requiring a report; providing for expiration of the task force; providing an effective date.

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By the Committee on Communications and Public Utilities; and Senator Bennett—

**CS for SB 2024**—A bill to be entitled An act relating to public records and meetings; creating an exemption from public records and public meetings requirements for certain information held by the Florida Alternative Energy Center; exempting specified information relating to the recruitment of a business to locate in Florida and proprietary business information from public records requirements; exempting the identity of donors or potential donors from public records requirements; creating an exemption from disclosure for information that is confidential while in the possession of the person providing it; creating an exemption from public meetings requirements for meetings of the governing board of directors of the Florida Alternative Energy Center at which confidential records are presented or discussed; authorizing access to exempt or confidential information under specified circumstances; providing a penalty; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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By the Committee on Communications and Public Utilities; and Senator Bennett—

**CS for SB 2026**—A bill to be entitled An act relating to trust funds; creating the Florida Alternative Energy Center Trust Fund; providing for sources of funds and purposes; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

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By the Committee on Judiciary; and Senator Joyner—

**CS for SB 2118**—A bill to be entitled An act relating to debts and debtors; amending s. 222.25, F.S.; providing that personal property of a specified value is exempt from legal process if the debtor does not receive a homestead exemption; providing limitations; amending s. 702.035, F.S.; permitting foreclosure notices to be published in certain newspapers that publish at least 5 days a week except during legal holidays; amending s. 727.103, F.S.; redefining the terms "asset" and "assignee"; defining the term "consensual lienholder"; amending s. 727.104, F.S.; revising the assignment and schedule forms; providing forms for verification and acceptance under oath for assignments and schedules; amending s. 727.105, F.S.; authorizing a consensual lienholder only to enforce a security interest against the assets of an estate; amending s. 727.108, F.S.; revising and providing additional duties for the assignee; amending s. 727.109, F.S.; providing additional powers of the court; amending s. 727.110, F.S.; conforming cross-references; amending s. 727.111, F.S.; requiring the assignee to give notice of the assignee's continued operation of the assignor's business; authorizing the assignee to take action as described in the notice by order of the court; requiring that notice be given to all consensual lienholders and counsel; amending s. 727.112, F.S.; providing limitations on a claim for damages; amending s. 727.113, F.S.; authorizing a creditor of the assignor to file an objection to a claim; requiring an assignee to create a claims register; providing that an assignee or any creditor has standing to challenge any claim by another creditor; authorizing certain creditors to file a claim for an unsecured deficiency within a certain time; amending s. 727.114, F.S.; providing that certain creditors are unsecured creditors for purpose of priority of distribution; revising the type and amount of claims receiving a priority distribution; providing that a subordination agreement is enforceable; providing that certain claims are subordinate to other claims; providing an exception for a claim for common stock; providing an effective date.

By the Committee on Community Affairs; and Senators Constantine and Bullard—

**CS for SB 2124**—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; providing for future repeal; creating s. 288.1172, F.S.; providing for certification of units of local government owning eligible convention centers by the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for revocation of certification; providing an effective date.

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By the Committees on Environmental Preservation and Conservation; Education Pre-K - 12; and Senator Constantine—

**CS for CS for SB 2136**—A bill to be entitled An act relating to education facilities; creating s. 1013.441, F.S.; establishing the Green Schools Pilot Project to enable selected school districts to comply with certain building-certification standards; defining the term "additional costs"; providing for an application and selection process for participation in the pilot project; providing requirements for school districts to participate; providing for evaluation criteria that may be used during the selection process; providing for the distribution of funds by the Department of Education; providing for prorated distribution of funds under specified circumstances; providing authority to distribute excess funds for specified purposes; requiring the reporting of expenditures by participating school districts; authorizing inspection and evaluation of the reports by the Auditor General; providing for the return of improperly expended funds and of specified funds if a constructed or renovated school fails to achieve specified certification standards; providing that appropriated funds do not revert to the General Revenue Fund; requiring a report by each participating school district; providing an appropriation; providing an effective date.

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By the Committee on Community Affairs; and Senator Constantine—

**CS for SB 2188**—A bill to be entitled An act relating to motor vehicles; amending s. 316.1951, F.S.; revising provisions relating to parking vehicles on public property for the purpose of displaying the vehicles for sale, hire, or rental; providing exceptions; prohibiting certain acts in the sale of motor vehicles; providing an effective date.

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By the Committee on Judiciary; and Senator Villalobos—

**CS for SB 2200**—A bill to be entitled An act relating to high school athletics; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association to implement a 1-year drug-testing program to randomly test certain students for anabolic steroid use; requiring schools to consent to the provisions of the program as a prerequisite for membership in the organization; requiring the organization to establish procedures for the conduct of the program including contracting with a testing agency to administer the program; providing that records relating to drug tests and challenge and appeal proceedings are maintained separately from a student's educational record; requiring students and their parents to consent to the testing program as a prerequisite for eligibility to participate in specified sports; requiring the school to meet with a student who tests positive and his or her parent to review the test findings, penalties, and procedures for challenge and appeal; providing penalties for positive findings; providing procedures for challenging and appealing the test findings and penalties; providing that the result of a drug test is not admissible in a criminal prosecution; requiring a report to the Legislature on the results of the program; providing an exemption from civil liability resulting from implementation of the program; requiring the Department of Legal Affairs to provide defense in claims of civil liability; authorizing athletic organization to reduce the scope of the program in order to remain within the legislative appropriation; providing for repeal of the program; providing an effective date.

By the Committees on Governmental Operations; Health Regulation; and Senators Atwater and Ring—

**CS for CS for SB's 2348 and 2582**—A bill to be entitled An act relating to the Florida Health Information Network; creating s. 408.064, F.S.; providing a short title; providing legislative intent; creating the Florida Health Information Network Advisory Council within the Executive Office of the Governor; specifying membership and terms of office; providing duties and staff support for the advisory council; establishing duties of the Agency for Health Care Administration regarding development of an electronic health information network; creating a direct-support organization to assist the agency; providing for the appointment of a board of directors for the direct-support organization; providing for applicability of public-records and public-meetings requirements to the direct-support organization; providing for audits; requiring a contract between the agency and the direct-support organization which includes certain requirements; requiring the Agency for Health Care Administration to prepare and submit to the Council on Efficient Government a business case analysis for the implementation of a statewide health information network; specifying the elements of the business case analysis; requiring the Council on Efficient Government to submit its evaluation of the business case analysis to the Governor, the Florida Health Information Network Advisory Council, the Agency for Health Care Administration, and the Legislature; requiring competitive procurement; prohibiting a contract to implement a statewide health information network unless funds are appropriated; authorizing the Agency for Health Care Administration to adopt rules; providing an appropriation; providing an effective date.

By the Committee on Governmental Operations; and Senator King—

**CS for SB 2406**—A bill to be entitled An act relating to public records; amending s. 267.1736, F.S.; providing an exemption from public-records requirements for certain donor and prospective donor information involving state-owned properties in a historic district in the City of St. Augustine; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Governmental Operations; and Senator Ring—

**CS for SB 2612**—A bill to be entitled An act relating to public records; creating s. 288.96275, F.S.; providing definitions; defining “proprietary confidential business information” and specifying information that does not constitute proprietary confidential business information; creating an exemption from public-records requirements for proprietary confidential business information held by the Florida Opportunity Fund regarding alternative investments; providing for limited duration of the exemption; authorizing the inspection and copying of confidential and exempt records if the proprietor of the information fails to verify that a record contains certain information within a specified period of time; authorizing a court to order the release of confidential and exempt records upon making certain findings; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 121, CS for HB 1039, CS for HB 1483; has passed as amended CS for CS for HB 261, CS for CS for HB 275, CS for HB 7001; has passed as amended by the required Constitutional three-fifths vote of the membership HJR 7089 and requests the concurrence of the Senate.

*William S. Pittman III*, Chief Clerk

By Representative Coley and others—

**HB 121**—A bill to be entitled An act relating to the Florida Highway Patrol Auxiliary; amending s. 321.24, F.S.; incorporating a definition of “auxiliary law enforcement officer”; conforming text; authorizing the director of the Florida Highway Patrol to issue certain items to a retiring auxiliary officer; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Representative Bowen—

**CS for HB 1039**—A bill to be entitled An act relating to the Southwest Florida Water Management District; amending s. 373.073, F.S.; increasing the number of governing board members of the district; revising the residency requirements for vacancies on the governing board of the district; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

By the Policy and Budget Council; Representative Flores and others—

**CS for HB 1483**—A bill to be entitled An act relating to local government revenue sources; requiring a super majority vote for actions by a local government to levy new, increase existing, expand a base or area subject to, or eliminate an exemption from taxes, special assessments, non-ad valorem assessments, or impact fees; requiring a super majority vote of electors voting in referenda on laws taking the same actions; providing an exception for certain emergencies; providing for nonapplication to certain other revenue sources; providing a definition; providing an effective date.

—was referred to the Committee on Finance and Tax.

By the Policy and Budget Council; Government Efficiency and Accountability Council; and Representative Lopez-Cantera and others—

**CS for CS for HB 261**—A bill to be entitled An act relating to just valuation of property; amending s. 193.011, F.S.; providing for consideration of zoning changes and permits in determining the highest and best use; revising the condition of property just valuation factor; including cost of removal of tangible personal property as a consideration in the net sale proceeds factor; requiring property appraisers to use only market rent in arriving at just value of certain income-producing properties; providing a definition; providing applicability; amending s. 193.016, F.S.; providing for consideration of value adjustment board decisions for all properties; creating s. 193.018, F.S.; authorizing owners of certain properties to enter into deed-restriction agreements with counties for certain purposes; requiring property appraisers to consider deed-restriction agreements in determining just value; providing for payment of back taxes plus interest if the deed-restriction agreement is terminated early; amending s. 194.011, F.S.; revising provisions relating to provision of evidence by petitioners and property appraisers; amending s. 194.013, F.S.; requiring value adjustment boards to waive a petition filing fee for taxpayers eligible for certain constitutional exemptions; amending s. 194.015, F.S.; revising the membership of value adjustment boards, appointment criteria, and quorum requirements; amending s. 194.032, F.S.; providing for criteria for rescheduling certain hearings under certain circumstances; amending s. 194.034, F.S.; requiring value adjustment boards to order refund of certain filing fees if a determination of a property appraiser is overturned; amending s. 194.192, F.S.; providing for judgments against property appraisers under certain circumstances; providing for assessment and award of attorney fees to taxpayers under certain circumstances; amending s. 194.301, F.S.; revising criteria for a presumption of correctness of ad valorem taxation assessments and the burden of proof in actions challenging such assessments; providing an effective date.

—was referred to the Committee on Finance and Tax.

By the Policy and Budget Council; Economic Expansion and Infrastructure Council; and Representative M. Davis and others—

**CS for CS for HB 275**—A bill to be entitled An act relating to motor vehicle, mobile home, and vessel registration; amending s. 320.01, F.S.; redefining the term “registration period”; defining the term “extended registration period”; amending s. 320.055, F.S.; establishing an extended registration period and renewal period for certain motor vehicles and mobile homes; amending s. 320.06, F.S.; extending the time period and revising the fee for replacement of registration license plates; extending the period of validity of license plates and validation stickers to provide for an extended registration period; amending s. 320.07, F.S.; providing for the semiannual, annual, or biennial renewal of motor vehicle and mobile home registrations; authorizing the biennial renewal of certain motor vehicle and mobile home registrations upon payment of the cumulative total of license taxes, service charges, surcharges, and other fees; amending s. 320.071, F.S.; specifying that the registration period for a motor vehicle or mobile home may not exceed a specified number of months; creating s. 320.203, F.S.; providing for the disposition of biennial registration revenues; amending s. 328.72, F.S.; providing for an extended registration period for certain vessel owners; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By the Policy and Budget Council; Government Efficiency and Accountability Council; and Representative Attkisson and others—

**CS for HB 7001**—A bill to be entitled An act relating to ad valorem tax millage; amending s. 200.065, F.S.; specifying a form for advertisements of proposed tax increases in excess of a millage limitation; creating s. 200.192, F.S.; providing ad valorem tax millage limitations; providing exemptions for certain taxing authorities; providing for nonapplication to ad valorem taxes levied by certain counties, districts, and municipalities; providing for increasing the millage limitation for certain counties for certain purposes; providing for determining the millage rate limitation; providing for exceeding the limitations under certain circumstances; prohibiting certain counties or municipalities from participating in certain revenue sharing and local government half-cent sales tax distributions under certain circumstances; specifying a methodology for calculating a rolled-back rate for certain counties or municipalities; requiring forms of property appraisers to contain certain millage calculation instructions; providing for nonapplication to the millage of certain ad valorem tax levies; amending s. 373.536, F.S.; correcting cross-references; providing for preemption, control, and supersession of provisions of general or special law in conflict with provisions of the act; providing an effective date.

—was referred to the Committee on Finance and Tax.

By the Policy and Budget Council; and Representative Sansom—

**HJR 7089**—A joint resolution proposing amendments to Sections 3, 6, and 9 of Article VII and the creation of Section 19 of Article VII and Section 27 of Article XII of the State Constitution to provide for an ad valorem tax exemption for tangible personal property, clarify that ad valorem tax relief to renters may be provided in the form of tax relief to the owner of the property, authorize counties and school districts to grant a homestead property exemption and impose a discretionary sales surtax upon approval by referendum, authorize qualified electors to petition for a grant of the homestead exemption and imposition of the surtax, provide a methodology for limiting increases in ad valorem taxes, increase the state sales and use tax to replace school district revenues lost from not imposing a required local effort on homestead property, and provide applicability, nonseverability, and an effective date.

—was referred to the Committee on Finance and Tax.

**RETURNING MESSAGES**

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the Speaker has appointed the following Representatives to the conference committee for SB 2800, SB

2802, CS for CS for SB 450, CS for SB 1046, CS for SB 1052, CS for SB 1060, CS for SB 1064, CS for SB 1086, CS for SB 1088, CS for SB 1100, CS for SB 1104, CS for SB 1116, CS for SB 1124, CS for SB 1126, CS for SB 1134, SB 1420, SB 1422, HB 7059, CS for HB 7061, HB 7063, HB 7065, HB 7069, HB 7071, HB 7073, HB 7075 and CS for HB 7079: Economic Expansion & Infrastructure - Rep. Cannon (Chair), Rep. Kravitz (Vice Chair), and Reps. Aubuchon, Bucher, Bullard, Cretul, Cusack, Davis, D., Davis, M., Fitzgerald, Glorioso, Holder, Nehr, Patterson and Reed; Environment & Natural Resources - Rep. Mayfield (Chair), Rep. Kendrick (Vice Chair), and Reps. Allen, Boyd, Brandenburg, Culp, Grimsley, Kreegel, Kriseman, Macheck, Nelson, Randolph, Troutman and Williams; Government Efficiency & Accountability - Rep. Gardiner (Chair), Rep. Grant (Vice Chair), and Reps. Attkisson, Domino, Evers, Gibbons, Gonzalez, Homan, Jordan, Meadows, Robaina, Sands, Schenck, Scionti and Thompson, G.; Healthcare - Rep. Bean (Chair), Rep. Zapata (Vice Chair), and Reps. Anderson, Ford, Galvano, Garcia, R., Gibson, H., Harrell, Hays, Hooper, Patronis, Ausley, Porth, Schwartz, Skidmore and Taylor; Jobs & Entrepreneurship - Rep. Reagan (Chair), Rep. Brown (Vice Chair), and Reps. Brise, Carroll, Chestnut, Fields, Holloway, Lopez-Cantera, Murzin, Poppell, Precourt, Richter and Weatherford; Safety & Security - Rep. Dean (Chair), Rep. Ross (Vice Chair), and Reps. Adams, Ambler, Frishe, Hukill, Llorente, Mahon, Needelman, Planas, Snyder, Thompson, N., Garcia, L., Gibson, A., Jenne, Peterman, Roberson, Sachs and Thurston; Schools & Learning - Rep. Pickens (Chair), Rep. Traviesa (Vice Chair), and Reps. Altman, Coley, Flores, Legg, McKeel, Meador, Proctor, Simmons, Bendross-Mindingall, Heller, Kiar, Long, Richardson, Vana and Waldman; At Large - Rep. Sansom (Chair), and Reps. Baxley, Bogdanoff, Bowen, Gelber, Hasner, Rivera, Saunders and Seiler.

*William S. Pittman III*, Chief Clerk

**RETURNING MESSAGES—FINAL ACTION**

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has adopted SM 1680.

*William S. Pittman III*, Chief Clerk

The bill contained in the foregoing message was ordered enrolled.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 18 was corrected and approved.

**CO-INTRODUCERS**

Senators Bullard—CS for CS for SB 1160 and SB 2566, SR 3026; Crist—CS for SB 490, CS for SB 1612, CS for SB 1722, SB 1780; Dockery—CS for CS for SB 2052; Justice—SB 1836; Lynn—CS for CS for SB 92, CS for CS for SB 450; Rich—SR 2948; Wilson—CS for SB 2860

**RECESS**

On motion by Senator King, the Senate recessed at 10:21 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Friday, April 20 or upon call of the President.

**BILL ACTION SUMMARY**

**THURSDAY, APRIL 19, 2007**

- S 236 Read 3rd time; CS passed 39-0
- S 248 Read 3rd time; CS passed 38-0
- S 412 Immediately certified
- S 560 Read 2nd time
- S 656 Read 3rd time; CS passed 37-0
- S 668 Read 3rd time; CS passed 38-0; immediately certified
- S 1020 Read 2nd time
- S 1022 Read 2nd time
- S 1160 Read 3rd time; CS passed 39-0
- S 1178 Read 3rd time; CS passed 38-0
- S 1270 Read 3rd time; CS passed 39-0; immediately certified

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S	1452	Read 3rd time; Passed 38-0	S	3034	Read 2nd time
S	1488	Read 3rd time; CS passed 39-0	H	77	Read 3rd time; CS passed 39-0
S	1680	Immediately certified	H	261	Read 2nd time; Read 3rd time; CS passed as amended 39-0 (652992); immediately certified; Requested House to concur, or failing to concur, appoint conference committee
S	1918	Read 2nd time; Adopted	H	547	Read 3rd time; Passed 36-0
S	1922	Read 2nd time; Adopted	H	1483	Read 2nd time; Read 3rd time (891138); CS passed as amended 39-0 (891138); immediately certified; Requested House to concur, or failing to concur, appoint conference committee
S	1950	Read 3rd time; Passed 38-0	H	7001	Read 2nd time; Read 3rd time; CS passed as amended 38-0 (163244); immediately certified; Requested House to concur, or failing to concur, appoint conference committee
S	1972	Read 3rd time; CS passed 35-0	H	7085	Read 3rd time; Passed as amended 38-0; immediately certified; Requested House to concur, or failing to concur, appoint conference committee
S	1976	Read 3rd time; CS passed 37-0	H	7089	Read 2nd time; Read 3rd time; Passed as amended 39-0 (184190); immediately certified; Requested House to concur, or failing to concur, appoint conference committee
S	2052	Read 3rd time; CS passed 37-0			
S	2092	Read 3rd time; CS passed 38-0			
S	2100	Read 3rd time; CS passed as amended 39-0			
S	2634	Read 3rd time; Passed 39-0			
S	2866	Read 3rd time; CS passed 39-0			
S	2948	Read 2nd time; Adopted			
S	2962	Read 2nd time; Adopted			
S	2984	Read 2nd time; Adopted			
S	3020	Read 2nd time; Adopted			
S	3026	Read 2nd time; Adopted			

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**FLORIDA SENATE**  
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