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July 1, 2017

TO: Colonel Gene Spaulding, Florida Highway Patrol
Head of City, County and State Traffic Enforcement Agencies
County Court Judges
State Attorneys
Clerks of the Court
Tax Collectors
Florida Association of Counties
Florida League of Cities

FROM: Jennifer Langston
Legislative Affairs Director

SUBJECT: 2017 Legislation Affecting Traffic and Motor Vehicle Laws

The following memorandum is a courtesy summary of the legislative changes related to traffic and motor vehicle laws that were enacted during the 2017 Legislative Session and the 2017 Special Session A. **The Department of Highway Safety and Motor Vehicles (DHSMV) respectfully recommends that your agency carefully review the complete version of any statutory changes prior to revising any policies or operational protocols.**

Copies of the bills may be obtained from the Department of State, the distribution offices of the Florida House and Senate, or the official website of the Florida Legislature at www.leg.state.fl.us. Links to Chapter Law are provided embedded in the document. Please do not hesitate to contact DHSMV, Office of Legislative Affairs at 850-617-3195, or email LADhelp@flhsmv.gov if you need additional assistance.

Cc: FHP Command Staff
Chief Cabinet Aides

The following bills became effective upon becoming law

[Ch. Law 2017-1](#)

775.082, 782.04,
794.011, 893.135,
921.141, 921.142

SB 280 – Sentencing for Capital Felonies

Requires jury unanimity rather than a certain number of jurors for a sentencing recommendation of death.

Effective 03/17/2017

[Ch. Law 2017-8](#)

39.6035, 39.701,
322.05, 322.09,
322.56, 409.1451,
409.1454

SB 60 – Children Obtaining Driver Licenses

Expands the program providing motor vehicle insurance and driver licenses to children in out-of-home care who are in relative and non-relative placements; provides assistance to children who have reached permanency or turned 18 under certain circumstances; authorizes payment for a child in out-of-home care to complete a driver education program and obtain a driver license or the related costs of licensure under certain circumstances; requires the court and the child's transition plan to address the issue of a child in care obtaining a driver license; provides that a guardian ad litem authorized by a minor's caregiver may sign for the minor's learner's driver license and not assume any obligation or liability for damages caused by the minor.

Effective 05/01/2017

[Ch. Law 2017-45](#)

101.68

HB 105 – Canvassing of Vote-by-mail Ballots

Modifies and clarifies provisions governing the canvassing of vote-by-mail ballots; authorizes use of the vote-by-mail ballot cure affidavit if an elector's signature does not match the signature in the registration books or precinct register; specifies that a Florida driver license or Florida identification card are acceptable forms of identification for purposes of curing a vote-by-mail ballot.

Effective 06/02/2017

[Ch. Law 2017-46](#)

565.03

HB 141 – Craft Distilleries

Authorizes a craft distillery to sell branded products (distilled spirits manufactured on site) directly to consumers; increases the amount of branded product a consumer may purchase each year.

Effective 06/02/2017

[Ch. Law 2017-53](#)

119.071

HB 243 – Public records: Nonsworn Investigative Personnel of OFR's Bureau of Financial Investigations

Creates a public record exemption for the home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative employees of the bureau whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory violations; exempts the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such employees;

exempts the names and locations of schools and day care facilities attended by children of such employees.

Effective 06/02/201

[Ch. Law 2017-72](#)

776.032

SB 128 – Self-defense Immunity

Changes the burden of proof and who must bear it during pretrial hearings to evaluate a defendant's claim of immunity based on a justifiable use of force; places the burden of proof on the state at pretrial immunity hearings; provides the state must prove its burden by the beyond a reasonable doubt standard.

Effective 06/09/2017

[Ch. Law 2017-103](#)

119.071

HB 397 – Public Records: Victims of Alleged Sexual Harassment - Identifying Information

Provides that personal identifying information (PII) of the alleged victim in an allegation of sexual harassment is confidential and exempt from public record requirements; allows such information to be disclosed to another governmental entity in the furtherance of its official duties and responsibilities.

Effective 06/14/2017

[Ch. Law 2017-105](#)

196.011, 196.102

HB 455 – Tax Exemptions for First Responders and Surviving Spouses

Provides a 100 percent homestead tax exemption to first responders who are totally and permanently disabled as a result of injury sustained in the line of duty; extends a 100 percent homestead tax exemption to the surviving spouse of a totally and permanently disabled first responder, provided certain conditions are met.

Effective 06/14/2017

[Ch. Law 2017-170](#)

775.21, 943.0435,
943.0437, 944.606,
944.607, 985.481,
985.4815, 794.056,
921.0022, 938.085

HB 699 – Internet Identifiers

Amends the definition of "Internet identifiers" to require sexual offenders/predators to register Internet identifiers used to send or receive social Internet communication; requires offenders/predators to report each identifier's corresponding website homepage or application software name as part of their registration.

Effective 06/26/2017

[Ch. Law 2017-187](#)

Chapter 320

HB 1175 – Motor Vehicle Manufactures and Dealers

Provides additional grounds to deny, suspend, or revoke a license held by a motor vehicle manufacturer, factory branch, distributor, or importer; prohibits manufacturers from taking certain actions against dealers and requires certain procedures be followed by the manufacturer when dealing with motor vehicle dealers.

Effective 06/26/2017

The following bills take effect July 1, 2017

[Ch. Law 2017-11](#)

119.011, 119.071,
119.0714

HB 111 – Public Records: Identity of Witness to a Murder

Creates a public record exemption for criminal intelligence or criminal investigative information that reveals PII of a witness to a murder; provides that such information is confidential and exempt for two years after the date on which the murder is witnessed; allows for information to be disclosed by a criminal justice agency under certain circumstances.

[Ch. Law 2017-12](#)

627.748

HB 221 – Transportation Network Companies

Provides regulatory framework for Transportation Network Companies (TNCs) and preempts to the state the regulation of TNCs. Provides a TNC is not a common carrier, contract carrier, or motor carrier and does not provide taxicab or for-hire vehicle service; requires TNCs to maintain an agent for service of process in the state and disclosure of certain information related to the collection of fares; requires TNC's digital network to display a photograph of TNC driver and license plate number of the TNC vehicle; provides minimum insurance requirements for TNCs and TNC drivers and provides for certain TNC and insurer disclosures and exclusions; specifies TNC drivers are independent contractors if certain conditions are met and requires TNCs to implement a zero tolerance policy regarding drug and alcohol use; establishes certain TNC driver requirements and prohibits persons from being a TNC driver if they have been convicted of certain crimes or a certain number of moving violations; requires TNCs to submit to the Department of Financial Services an independent examination report and establishes penalties for noncompliance; prohibits TNC drivers from accepting rides for compensation outside of the TNC's digital network and from soliciting or accepting street hails. Requires TNCs to adopt and TNC drivers to comply with policies related to nondiscrimination and disability access; requires TNCs to maintain certain records relating to riders and TNC drivers; authorizes airports and seaports to charge TNCs reasonable pickup fees consistent with what is charged for taxicabs.

[Ch. Law 2017-13](#)

92.55

HB 151 – Proceedings Involving Minors

Expands the list of proceedings in which support animals may be used to include ones involving child abuse, abandonment, or neglect.

[Ch. Law 2017-14](#)

119.0714

HB 239 – Public Records: Protective Injunction Petitions

Creates a limited public records exemption related to protective injunctions; exempts from public record requirements a petition for an injunction for protection against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking when the

petition is dismissed without a hearing, dismissed at an ex parte hearing due to failure to state a claim or lack of jurisdiction, or dismissed for any reason having to do with the sufficiency of the petition itself without an injunction being issued on or after July 1, 2017; if dismissed prior to July 1, 2017, the petition is exempt only if the respondent requests.

[Ch. Law 2017-15](#)

943.1718

HB 305 – Law Enforcement Body Cameras

Requires Law Enforcement Agencies that permit the use of body cameras to have a provision permitting a Law Enforcement Officer (LEO) using a body camera to review the recorded footage from the body camera, upon his or her own initiative or request, before writing a report or providing a statement regarding any event arising within the scope of his or her official duties; provides that any such provision may not apply to an officer's inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses.

[Ch. Law 2017-17](#)

117.05

HB 401 – Notaries Public

Expands the list of forms of identification that a notary public may rely on in notarizing a signature on a document to include a veteran health identification card issued by the U.S. Department of Veterans Affairs.

[Ch. Law 2017-18](#)

322.142

HB 671 – Reemployment Assistance Fraud

Permits DHSMV to provide the image file and signature of licensees to DEO pursuant to an interagency agreement to facilitate the validation of reemployment assistant claims and the identification of fraudulent or false claims for benefits.

[Ch. Law 2017-25](#)

119.07, 1077.676

SB 886 – Public Records: Substance Abuse Impaired Persons

Creates new exemption from the public records inspection and access requirement for petitions of involuntary assessment and stabilization of a substance abuse impaired person; provides for a retroactive application of the public records exemption.

[Ch. Law 2017-28](#)

328.72

HB 711 – Vessel Registrations

Reduces state vessel registration fees for recreational vessels equipped with an emergency position-indicating radio beacon or for recreational vessels where the owner owns a personal locator beacon. Individuals can qualify for reduced fee for only one vessel. Removes the July 1, 2017 repeal date for the discount.

[Ch. Law 2017-36](#)

320.08, 320.1,
320.102

HB 7109 – Taxation

Revises taxes for several areas; specifically, discounts registration fees for non-for profit organizations registering marine trailers.

[Ch. Law 2017-42](#)

316.0898, 316.545,
335.074, 337.11,
337.401, 338.227,
339.135, 339.2405,
343.52, 343.53,
343.54, 343.58, 215.82

HB 865 – Department of Transportation

Requires the Florida Department of Transportation (FDOT), in consultation with DHSMV, to develop the Florida Smart City Challenge Grant Program; provides for assessment and calculation of a fine for unlawful weight and load of a vehicle fueled by natural gas.

[Ch. Law 2017-44](#)

772.13

HB 65 – Civil Remedies for Terrorism

Creates a civil cause of action for a person injured by an act of terrorism; provides that an injured person is entitled to recover damages plus attorney's fees and court costs.

[Ch. Law 2017-47](#)

865.09

HB 169 – Fictitious Name Registration

Amends the fictitious name registration process; no longer requires a sworn statement when registering a fictitious name; clarifies documentation and information needed when registering a fictitious name; clarifies the process for cancellation of the registration; clarifies the time period new registrations and renewal registrations are valid; bars the renewal of a registration under certain conditions; adds exemption from registration for limited liability companies if the company conducts business in a name that is licensed or registered; clarifies the identity of a registrant when registering a general partnership; reduces the penalty for failing to comply from a misdemeanor to a noncriminal violation; prohibits use of certain words, abbreviations, and designations relating to limited partnerships, limited liability limited partnerships, limited liability partnerships, and limited liability companies in a fictitious name unless the registrant actually qualifies as that particular type of entity.

[Ch. Law 2017-48](#)

252.3655

HB 181 – Natural Hazards

Creates a natural hazards interagency workgroup to share information on current and potential impacts of natural hazards throughout the state, coordinate ongoing efforts of state agencies in addressing impacts of natural hazards, and collaborate on statewide initiatives to address natural hazards; requires the workgroup to meet quarterly to provide information on the current and potential impacts of natural hazards, leverage agency recourses to mitigate against natural

hazards, coordinate efforts to address the impacts of natural hazards, and provide information for an annual progress report.

[Ch. Law 2017-52](#)

489.529, 553.793

HB 241 – Alarm Systems

Expands current law regarding the streamlined installation permitting of low-voltage alarm systems to include low-voltage electric fences, and creates an additional exception to the alarm system verification call requirement; defines “low-voltage electric fence” as an alarm system, as defined in s. 489.505, F.S., that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure; adds “new or existing low-voltage electric fence” to the types of projects that constitute a low-voltage alarm system project; adds “closed-circuit television systems,” “access controls,” and “battery recharging devices” to the types of ancillary components or equipment attached to a low-voltage alarm system; provides that a low-voltage electric fence must not produce an electric charge that exceeds specified international energizer characteristics, must be completely enclosed by a nonelectric fence or wall, may be up to two feet higher than the perimeter nonelectric fence or wall, must be identified using warning signs attached to the fence at intervals of not more than 60 feet, may not be installed in an area zoned exclusively for single-family or multi-family residential use, and may not be used to enclose portions of the property used for residential purposes; provides alarm system verification calls by alarm system monitoring personnel will no longer be required if the alarm signal is generated from premises used for the storage of firearms and ammunition by a licensed federal firearms manufacturer, importer, or dealer.

[Ch. Law 2017-75](#)

20.058, 318.21,
320.08068, 320.0848,
413.402, 413.4021,
413.615

SB 890 – Direct-Support Organizations

Extends the repeal date for the Florida Endowment Foundation for Vocational Rehabilitation (The Able Trust) from Oct 1, 2017 to Oct 1, 2019; increases transparency and oversight of Direct Support Organizations (DSOs); revises the distribution of civil penalties collected by county courts from The Able Trust to the Division of Vocational Rehabilitation (DVR), within the Department of Education (DOE); removes The Able Trust as the custodial agent for the motorcycle specialty license plates fees and directs funds to the Grants and Donations Trust Fund of DVR, Florida Association of Centers for Independent Living (FACIL), Brain and Spinal Cord Injury Program Trust Fund, Prevent Blindness Florida, and the Blind Services Foundation of Florida.

[Ch. Law 2017-77](#)

776.013

SB 1052 – Justifiable Use of Force

Minimizes the circumstances in which a person might be required to retreat within or from a dwelling, residence, or vehicle before using

deadly force in self-defense; eliminates language implying that a person in their dwelling must suffer a physical attack before acting in self-defense; provides that the criminal activity that might trigger a defender's duty to flee from a dwelling does not include nonviolent misdemeanors.

[Ch. Law 2017-82](#)

83.806, 83.808, 713.78

HB 357 – Self-Service Storage Facilities

Provides that lien sale may be conducted on certain websites; provides that facility or unit owner is not required to hold license to post property for online sale. limits maximum value of certain property; provides that when a lien is claimed on a motor vehicle or watercraft and charges are 60 days or more past due, a facility owner may sell the vehicle or watercraft or have it towed; if towed, the facility owner is no longer liable for the property after the wrecker takes possession; allows a storage facility to charge a reasonable late fee for nonpayment of rent and expenses incurred from rent collection or lien enforcement.

[Ch. Law 2017-85](#)

Chapters 472, 493,
501, 531,534, 573,
590, 597, 604, 790

HB 467 – Department of Agriculture and Consumer Services

Modifies several agricultural, consumer service, and licensing activities under the jurisdiction of the Florida Department of Agriculture and Consumer Services; specifically, allows the Department of Agriculture to receive information on individuals who are prohibited from purchasing a firearm, for the purposes of determining eligibility of Class "G" (statewide firearm license) or Class "K" (firearms instructor) applicants and licensees – helps prevent the licensure of individuals who have been adjudicated incompetent or committed to a mental institution, unless competency has been judicially restored; allows the Department of Agriculture to temporarily suspend a Class "G" or "K" license until resolution of a criminal proceeding if the licensee was arrested or charged with a firearms related crime or a forcible felony; Class "K" applicants must have valid NRA and federal firearm training certificates, issued no more than three years before the submission of the application; requires a person licensed under ch. 493, F.S., to notify their employer within three calendar days if they were arrested for any offense. Failure to notify is grounds for disciplinary action; aligns mental health restoration requirements, and reduces concealed weapon license fees.

[Ch. Law 2017-89](#)

319.32

SB 164 – Certificates of Title for Motor Vehicles

Prohibits DHSMV and tax collectors from charging a surviving spouse any fee or service charge, excluding an expedited title fee, if applicable, for a motor vehicle certificate of title when the title is being issued solely to remove the deceased co-owner from the title.

[Ch. Law 2017-102](#)

556.103, 556.105,
556.107

HB 379 – Underground Facilities

Requires excavator that damages any underground facility to report to 911 if any natural gas or other hazardous substance escaped; if a citation is issued by a state LEO, 80 percent of the civil penalty collected by the clerk of the court will be distributed to the government entity who issued the citation.

[Ch. Law 2017-108](#)

316.1896

HB 493 – Enhanced Safety for School Crossings

Requires FDOT to evaluate the viability and cost of establishing a uniform system for the designation of safe school crossing locations on arterial or collector roads within one-mile radius of all schools; requires FDOT to report findings to Governor and Legislature before January 1, 2018.

[Ch. Law 2017-110](#)

893.03, 893.015

HB 505 – Florida Comprehensive Drug Abuse Prevention and Control Act

Removes ioflupane I 123 from the list of schedule II drugs in Florida because it is not subject to abuse, but is used for visual brain scans.

[Ch. Law 2017-123](#)

943.171, 984.071

SB 1694 – Support for Parental Victims of Child Domestic Violence

Requires the Department of Juvenile Justice, in collaboration with other organizations, to develop materials detailing the resources and services available for parents and legal guardians who are victims of domestic violence; materials must include resources available for a child who has committed acts of domestic violence or demonstrated behaviors that may escalate to domestic violence; requires issues involved in child-to-parent domestic violence cases be included in the domestic violence portion of a LEO's basic skills course for his or her initial certification.

[Ch. Law 2017-130](#)

943.0585

SB 118 – Criminal History Records

Prohibits anyone that publishes arrest booking photographs to solicit or accept a fee to remove the photographs; states the publisher of the photograph must remove the photo within ten calendar days of receiving a written request by the person in the photo or their legal representative; if a publisher doesn't remove the photo, the requester may bring a civil action to have the court issue an injunction, and the court may also impose a civil penalty of \$1,000 per day for noncompliance with the injunction; refusal to remove a photo after a written request constitutes an unfair or deceptive trade practice and subjects the publisher to additional penalties under the Florida Deceptive and Unfair Trade Practices Act; allows a person to seek expunction of a criminal history record if they have not been adjudicated guilty for a misdemeanor offense or been adjudicated

delinquent for committing a misdemeanor specified in s. 943.051(3)(b), F.S., in the past ten years; provides that a case resolved by a judgement of acquittal or a not guilty verdict is eligible for expunction.

[Ch. Law 2017-133](#)

119.0714

HB 441 – Court Records

Provides immunity from liability for clerks of court for the release of information that is made confidential where the filer failed to disclose the existence of the confidential information to the clerk as required by court rule.

[Ch. Law 2017-141](#)

320.64, 320.6407,
320.6992

HB 775 – Motor Vehicle Warranty Repairs and Recall Repairs

Prohibits a motor vehicle manufacturer, distributor or importer, except as authorized by law, from denying a motor vehicle dealer's claim, reducing the dealer's compensation, or processing a chargeback to a dealer for performing covered repairs on a used motor vehicle under specified circumstances.

[Ch. Law 2017-150](#)

316.003, 316.008,
316.2071, 320.01,
320.02, 324.021,
324.022, 330.411,
934.5, 316.2128,
316.545, 316.613,
655.96

HB 1027 – Unmanned Aircraft

Provides statutory requirements governing personal delivery devices (PDDs) and unmanned aircraft systems (drones); provides minimum operating requirements for PDDs; authorizes the operation of PDDs on sidewalks, but prohibits them on certain state-owned trails; prohibits political subdivisions from enacting or enforcing regulations relating to the use of drones, with specified exceptions.

[Ch. Law 2017-151](#)

322.051

HB 1121 – Child Welfare

The Department of Children and Families' (DCF) legislative package; makes several changes to welfare for children; specifically, requires DCF to develop a standardized form to certify qualifying unaccompanied homeless youth, which will be used for the application of no fee identification card.

[Ch. Law 2017-153](#)

39.303, 39.3031,
458.3175, 459.0066,
827.03

HB 1269 – Child Protection

Requires DOH to convene a task force to develop a standardized protocol for forensic interviewing for children suspected of having been abused; provides that the task force must include representatives from law enforcement, child welfare, and mental health treatment; provides various changes to the child protection process.

[Ch. Law 2017-155](#)

321.04, 960.194,

HB 1379 – Department of Legal Affairs

Provides that the Attorney General may request the assignment of one or more Florida Highway Patrol officers to the Office of the Attorney General for security services; amends dates to keep Florida's

Deceptive and Unfair Trade Practices Act current with applicable federal law and rules; Provides a definition of “virtual currency” and amends the term “monetary instruments” to include “virtual currency” in the Florida Money Laundering Act; provides compensation awards to surviving family members of an emergency responder who, as a result of a crime, is killed answering a call for service in the line of duty.

[Ch. Law 2017-157](#)

20.375, 296.11,
296.37, 296.38,
320.02, 320.08058,
320.089, 320.0891,
322.08

HB 5205 – Department of Veterans’ Affairs

Conforms statutes to the funding decisions related to the Department of Veterans Affairs included in the General Appropriations Act for FY 2017-2018; creates two depositories for certain specialty license plate revenue and terminates the previous fund; redirects certain voluntary contributions from motor vehicle transactions to the newly created depositories.

[Ch. Law 2017-163](#)

253.0347, 327.02,
327.391, 327.4107,
327.4108, 327.4109,
327.44, 327.46, 327.6,
327.7, 327.73, 328.09,
328.7, 328.72, 705.103

HB 7043 – Vessels

Incorporates recommendations from the 2009 pilot program conducted by the Fish and Wildlife Conservation Commission; provides DHSMV may not issue a certificate of title to any applicant for any vessel that has been deemed derelict by a LEO. LEO’s must inform DHSMV of the vessel’s derelict status and provide the vessel title number or vessel identification number; allows DHSMV to issue a title once a LEO has verified the vessel is no longer derelict.

[Ch. Law 2017-167](#)

403.703, 403.7045,
171.205, 316.003,
377.709, 487.048

HB 335 – Resource Recovery and Management

Expands the exemption from solid waste regulations to pyrolysis facilities that convert post-use polymers by gasification and pyrolysis if they meet certain criteria; recovered materials handled by the facility are not hazardous wastes.

[Ch. Law 2017-168](#)

903.045, 903.26,
903.31

HB 361 – Bail Bonds

Revises laws related to bail bonds including: forfeiture; reasons for automatic discharge of a bond; provisions for bond cancellation; adds to list of circumstances in which an original bond is not considered to guarantee the defendant’s appearance.

[Ch. Law 2017-169](#)

893.055

HB 557 – Controlled Substance Prescribing

Reduces the amount of time a dispenser must report the dispensing of a controlled substance to the prescription drug monitoring program (PDMP) database from seven days to the close of the next business day; requires reporting to be completed via the DOH-approved electronic system; changes requirements for exemptions; authorizes access to certain health care employees of the U.S. Department of Veterans Affairs.

[Ch. Law 2017-184](#)

1004.0962

HB 1079 – Public Records: Meetings/Campus Emergency Response for Public Postsecondary Educational Institutions

Creates an exemption from public record and public meeting requirements for information associated with a “campus emergency response,” which is defined as a public postsecondary educational institution’s response to or plan for responding to an act of terrorism or other public safety crisis or emergency; exempts from public meeting requirements, the portion of a public meeting which would reveal information related to a “campus emergency response.”

[Ch. Law 2017-189](#)

316.027, 318.18,
322.27

HB 1239 – School Bus Safety

Creates the “Cameron Mayhew Act;” establishes fines and penalties for failing to stop for a school bus resulting in a serious bodily injury or death and for passing a stopped school bus; provides additional requirements for persons who fail to stop for a school bus and cause serious bodily injury or death of another person – community service, participation in a victim’s impact panel session, attend a DHSMV-approved driver improvement course relating to vulnerable road users.

[Ch. Law 2017-193](#)

SB 368 – Transportation Facility Designations

Creates honorary designations of transportation facilities around the state and directs FDOT to erect markers designating the facilities; revises two previously enacted designations; requires FDOT to erect signage commemorating specified conflicts involving U.S. Armed Forces along portions of the Veterans Expressway in Hillsborough and Hernando counties; Honorary designations, by county, include: Alachua County: “Rev. Dr. Thomas A. Wright Boulevard;” Broward County: “The Hope and Healing Highway,” “John U. Lloyd Bridge;” City of Hialeah: “Herman Echevarria Way;” Dixie and Lafayette Counties: “Joe Anderson Jr. Memorial Highway;” Escambia County: “Wilbur Barry Highway;” Franklin County: “SP4 Robert Clifford Millender Memorial Highway;” Gadsden and Jackson Counties: “Rep. J. Troy Peacock Bridge;” Hillsborough County: “Lieutenant Benedict J. Thomas Memorial Highway,” “Helen Gordon Davis Boulevard,” Francisco A. Rodriguez Avenue,” Olympian Theresa Manuel Way;” Lake County: “Sergeant Marvin L. Roberts Memorial Highway;” Lee County: “Corporal Joseph R. Bertrand Memorial Highway,” “Coach Jeff Sommer Memorial Highway;” Leon County: “Danny A. Pino Way;” Levy County: “Deputy A. Hagood Ellzey Memorial Highway;” Madison County: “Joe C. Peavy Highway;” Miami Beach: “Senator Paul B. Steinberg Bridge;” Miami-Dade County: “Trooper Patrick Ambroise Memorial Highway,” “Robert L. Shevin Memorial Boulevard,” “Muhammad Ali Boulevard,” “Stanley G. Tate Boulevard,” “Gerogia Ayers Way,” “Dr. Clifford Garfield O’Connor Street,” “Robert ‘Bobby’ L.

Parker Sr. Memorial Highway,” “Lorenzo de Toro Way,” “Luis Fernando Brande Street,” “Phares Duverne Highway,” “Carmelau Monestime Street,” “Jessie Trice Way;” Monroe County: “Irene U. Hooper Memorial Bridges;” Nassau County: “Emmitt G. Coakley Memorial Highway;” Okaloosa County: “William H. ‘Bill’ Mapoles Bridge,” “Brigadier General Thomas ‘Mark’ Stogsdill Memorial Overpass;” Okaloosa & Santa Rosa Counties: “Warren E. ‘Charlie’ and Shirley Brown Memorial Highway;” Orange County: “Lieutenant Debra Clayton Memorial Highway,” “First Class Deputy Norma Lewis Memorial Highway,” “Arnold Palmer Expressway,” “Reverend Kenneth C. Crossman Bridge,” “Anelie Cadet Way;” Pasco County: “Gulf Coast Highway;” Pinellas County: “C. Bette Wimbish Highway,” “Senator Gerald S. ‘Jerry’ Rehm Highway,” “Purple Heart Trail;” Santa Rosa County: “Sheriff Wendell Hall Highway;” Suwannee County: “Historic Suwannee River Scenic Parkway;” Taylor County: “Private First Class Joey Moody Bridge.”

[Ch. Law 2017-194](#)

HB 1169 – Transportation Facility Designations

Creates the honorary designation of the “Officer Charles ‘Charlie K’ Kondek, Jr., Memorial Highway” in Pinellas County.

The following bills take effect July 7, 2017

[Ch. Law 2017-4](#)

SB 504 – Reviser’s Bill

20.435, 212.08,
213.053, 216.292,
220.192, 320.08058,
322.1415, 322.21,
377.703, 388.261,
400.9986, 403.1832,
409.91195, 409.91196,
409.912, 409.962,
641.19, 641.386,
720.303

Deletes provisions that have been repealed by a noncurrent (past-year) session of the Legislature where that repeal or expiration date has occurred, rendering the provision of no effect; removes obsolete language related to discontinued St. Johns River Specialty License Plate, as well as specialty drivers licenses and identification cards.

The following bills take effect October 1, 2017

[Ch. Law 2017-23](#)

SB 852 – Human Trafficking

39.524, 92.565,
409.016, 409.1678,
409.1754, 464.013,
790.065, 907.041

Requires the Department of Children and Families (DCF) or a Sheriff’s office to conduct multidisciplinary staffing on child victims of commercial sexual exploitation to determine the child’s service and placement needs; revises the continuing medical education course requirements for re-licensures or re-certifications to include a course

in human trafficking, adds human trafficking to the list of crimes requiring pretrial detention of the defendant.

[Ch. Law 2017-37](#)

775.3, 775.31, 775.32,
775.33, 775.34, 775.35,
782.04, 373.6055,
381.95, 395.1056,
874.03, 907.041,
943.0312, 943.0321,
27.401, 39.806, 63.089,
95.11, 435.04, 435.07,
775.082, 775.0823,
782.051, 782.065,
903.133, 921.0022,
921.16, 947.146,
948.06, 948.062,
985.265, 1012.315,
1012.467

HB 457 – Terrorism and Terrorist Activities

Provides that violation of specified provisions in furtherance of certain objectives is crime of terrorism; prohibits person from using military-type training from designated foreign terrorist organizations; prohibits providing material support or resources to or engaging in other specified actions in connection with designated foreign terrorist organizations; provides penalties for person who willfully becomes member of designated foreign terrorist organization & serves with intent to further illegal acts; provides penalties for intentionally disseminating or spreading contagious, communicable, or infectious disease among crops, poultry, livestock, or other animals.

[Ch. Law 2017-40](#)

872.02

HB 107 – Criminal Offenses Involving Tombs and Memorials

Provides an exemption from the criminal offenses, specifically, for an exempt cemetery that removes or relocates a tomb if the exempt cemetery obtains written authorization for the relocation from a legally authorized person or, under specified circumstances, does not receive an objection after publishing specified public notice of such relocation in a newspaper of general circulation; exempts a person performing routine maintenance who injures a tree or shrub in a burial enclosure; allows a cemetery to remove or relocate the contents of a tomb in response to a natural disaster; and Clarifies that the second degree felony offense of disturbing the contents of a tomb includes conduct such as excavation, exposure, movement, or removal of the contents of a tomb.

[Ch. Law 2017-43](#)

943.1727

HB 39 – Autism Awareness Training for Law Enforcement Officers

Requires the Florida Department of Law Enforcement (FDLE) to establish a continued employment training component relating to Autism Spectrum Disorder; training must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to such individuals; completion of the training may count toward a LEO's required 40 hours of continued employment training.

[Ch. Law 2017-54](#)

401.253

HB 249 – Drug Overdoses

Allows emergency medical technicians and paramedics who provide basic and advanced life support services to report controlled substance overdoses to DOH - reporters must make best efforts to make the report within 120 hours; reports must be filed with DOH using the Emergency Medical Services Tracking and Reporting System (EMSTARS) or other appropriate method; within 120 hours of receiving the report, DOH must make it available to law enforcement, public health, fire rescue, and EMS agencies in each county.

[Ch. Law 2017-66](#)

119.071

HB 7093 – Open Government Sunset Review Act (OGSR)/Agency Personnel Information

Reenacts public record exemptions for agency personnel and their spouses and children, and expands certain public record exemptions for certain agency personnel and their spouses and children.

[Ch. Law 2017-81](#)

817.625
921.0022

HB 343 – Payment Card Offenses

Revises elements of offenses of using scanning device or reencoder devices to include information encoded in a computer chip or other storage mechanism of a payment card; creates a new criminal offense (third degree felony) to knowingly possess, sell, or deliver a skimming device; exempts from this offense specified officials, such as law enforcement authorities who may come into lawful possession of a skimming device while acting within the scope of their official duties.

[Ch. Law 2017-91](#)

92.7

SB 312 – Eyewitness Identification

Creates procedures for state, county, and municipal law enforcement agencies to follow when they have a “lineup” for an eyewitness to identify a suspect; require the use of a lineup administrator who is unaware of which person in a live lineup is the suspect; for photo lineups, the procedures prohibit the photo administrator from knowing which photograph is presented to the eyewitness, provides that the Criminal Justice Standards and Training Commission of FDLE are responsible for educating police departments during implementation of the new guidelines.

[Ch. Law 2017-96](#)

119.071, 633.408

SB 1108 – Public Records: Firefighters and their Spouses and Children

Expands existing public records exemption for PII of current firefighters, their spouses, and children; extends the exemption to former firefighters and their families; exempts the names of spouses and children, home addresses, telephone numbers, dates of birth, photographs, places of employment, and the names and locations of schools and day care facilities attended by the children of firefighters.

[Ch. Law 2017-107](#)

381.887, 782.04,
893.015, 893.03,
893.13, 893.135,
921.0022, 39.806,
63.089, 95.11, 775.082,
775.0823, 921.16,
948.06, 948.062,
985.265, 1012.315,
1012.467

HB 477 – Controlled Substances

Adds certain fentanyl derivatives and five substances to the list of Schedule I drugs; creates a first degree felony offense for the possession of 10 grams or more of certain Schedule II substances, including fentanyl and other synthetic opioid analgesics; adds codeine and certain phenethylamines and phencyclidines to existing law punishing trafficking in such classes of controlled substances; creates trafficking offenses for fentanyl, synthetic cannabinoids, and n-benzyl phenethylamines, which are punishable by mandatory minimum terms of imprisonment and fines.

[Ch. Law 2017-156](#)

741.281, 741.283,
741.3, 775.08435

HB 1385 – Domestic Violence

Specifies that person must complete batterers' intervention program ordered as condition of probation in certain circumstances; increases minimum terms of imprisonment for domestic violence; prohibits award of attorney fees in specified domestic violence proceedings; prohibits withholding of adjudication for specified domestic violence offenses.

[Ch. Law 2017-164](#)

382.0255, 985.25,
985.255, 985.26,
985.265, 985.27,
985.35, 985.514,
790.22, 985.115,
985.13, 985.245,
985.275, 985.319

HB 7059 – Juvenile Justice

Amends provisions relating to juvenile justice including a new definition of "Prolific Juvenile Offenders;" provides changes to juveniles awaiting placement in a residential program; requires DOH to waive the fee for birth certificates to certain delinquents; creates an exemption for certain persons to possess a firearm.

The following bills passed during the 2017 Special Session A

Ch. Law 2017-232

SB 8A – Medical Use of Marijuana

Implements provisions of s. 29, Article X, of the State Constitution; exempts the sale of medical marijuana and marijuana delivery devices from sales tax; establishes procedures for physicians to issue physician certifications to patients who have qualifying medical conditions; establishes residency requirements for patients to be issued a Medical Marijuana Use Registry Identification Card (ID card); establishes qualifications to become a caregiver; limits the number of caregivers each patient may have and the number of patients each caregiver may assist; changes the name of the Compassionate Use Registry to the Medical Marijuana Use Registry

and requires DOH to issue ID cards to patients and caregivers; details requirements for Medical Marijuana Treatment Center (MMTC) applicants and standards that each MMTC must meet to maintain licensure; grandfathered in existing dispensing organizations as MMTCs and requires DOH to license 10 new MMTCs, and then four new MMTCs each time the registry increases by 100,000 registered patients; limits the number of dispensing facilities each MMTC may operate to 25 statewide and per region based on the percentage of population in each region, with conditions based on number of registered patients; requires laboratory testing of MMTC products and creates a certification program for medical marijuana testing laboratories; preempts the regulation of cultivation and processing of marijuana to the state; allows local governments to ban MMTC dispensing facilities, with conditions; requires DOH and DHSMV to establish educational campaigns relating to cannabis and marijuana and impaired driving; creates the Coalition for Medicinal Cannabis Research and Education, and establishes duties; includes rulemaking and other provisions to aid DOH in adopting rules and implementing the provisions of Amendment 2 within the time frame specified in the amendment.

Effective 6/23/2017

Ch. Law 2017-231

SB 6A – Public Records: Medical Marijuana Use Registry/Physician Certification for Marijuana and Dispensing/Department of Health & Medical Use of Marijuana

Expands public records exemption for the medical marijuana use registry (registry); protects certain PII that is held by DOH outside of the registry; specifically, makes a qualifying patient's and a caregiver's PII and all PII pertaining to the physician certification for marijuana held by DOH confidential and exempt from public records laws; restricts access to a patient's diagnosis when a law enforcement agency or medical marijuana treatment center accesses the registry to verify a qualifying patient's or caregiver's authorization to use or possess marijuana; expands access to this confidential information to practitioners licensed to prescribe prescription drugs for purpose of patient care, DOH employees for approval of exceptions to marijuana daily dosage limits, and the Coalition for Medical Marijuana Research and Education.

Effective 6/23/2017