



TRIAL LAWYERS SECTION THE FLORIDA BAR

LEGISLATIVE REPORT

February 25, 2009

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LEGISLATIVE REPORT

2009 SESSION

TRIAL LAWYERS SECTION, THE FLORIDA BAR

February 2009

CALENDAR OF EVENTS

March 3, 2009

Regular Session
Convenes

March 3, 2009

12:00 noon
Deadline for filing bills
for introduction

April 21, 2009

50th day
Last day for regularly
scheduled committee
meetings

April 27, 2009

- All bills immediately
certified
- Conference
Committee Reports
require only one
reading
- Motion to reconsider
made and considered
same day

May 1, 2009

60th day
Last day of Regular
Session

Dear TLS FB Members,

The Senate and House held interim committee meetings throughout January and February. There were very few bills heard during committee weeks, as the upcoming budget challenges were priority number one.

State agencies and departments made presentations to various committees to clarify their specific purpose and better illustrate the services they were created to perform. To address the further possible reductions for FY 2008-2009 and reductions for FY 2009-2010, each legislative appropriations committee then held a series of budget workshops in which each agency or department was asked to state how they would deal with **15% reductions** and where they could reduce spending. The criteria for suggested budget reductions were:

- 1) **Core Mission:** Is the budget entity, function, or activity central to or "core" to the agency's legal mandates?
- 2) **Statewide Critical Spending:** Is the budget entity, function, or activity critical for a) public safety b) health and welfare c) state obligations or d) necessary administrative support costs for any state critical spending?
- 3) **Constitutional Requirements/Matching Dollars:** Is the funding level required by Florida Constitution, federal law, or for state match or Maintenance of Effort (MOE)?

The proposed initial formula reductions for FY 2009-2010 are as follows:

- 1) **Not Core, Not Critical, Not Required:** 100%
- 2) **Core, Not Critical, Not Required:** 15%
- 3) **Critical or Required:** 0%

Rep. Sandy Adams, Chair of House Criminal & Civil Justice Appropriations Committee, concluded last week's meetings by stating the the committee would consider the agencies' and departments' recommendations throughout this Session's budget cutting process. **Sen. Victor Crist**, Chair of Senate Criminal & Civil Appropriations, continued to caution that this Session would be a "rocky road". As of Wednesday, February 25th, appropriations committees did not yet have their budget allocations.

To best view the links, you may need to right click and open weblink in browser



GOVERNOR CRIST'S PROPOSED BUDGET FY 20 09-2010

On Friday, February 20th, Governor Crist released a **\$66.5 billion budget** plan for FY 2009-2010. The Governor's proposed budget includes \$4.7 billion of federal stimulus dollars for next fiscal year, as well as \$3.2 billion federal stimulus dollars for the current FY 2008-2009.

As part of his budget proposal, Governor Crist is also seeking legislative approval of the 25 year compact that he signed between the state and the Seminole Tribe of Florida. The budget proposal reasons that the gaming compact would help create about 45,000 jobs and provide \$50 million for Florida classrooms. The Florida House Indian Compact Select Committee is currently holding meetings to determine whether the Governor acted beyond his authority, as determined by the Florida Supreme Court.

Below is a chart comparing the Governor's proposed **State Court System funding** FY 2009-10 to the current fiscal year.

State Court System	Gov.'s Proposed FY 2009-10		Current Budget FY 2008-09		Difference	
	Dollars	Positions	Dollars	Positions	Dollars	Positions
Total	\$440.2m	4,328.50	\$443.8m	4,325.50	\$6.5 m	3

FINAL COMMITTEE REASSIGNMENTS BEFORE 2009 REGULAR SESSION

The following Representatives have been added to **Civil Justice & Courts Policy Committee**:

- Rep. Audrey Gibson
- Rep. Dorothy Hukill
- Rep. Will Snyder



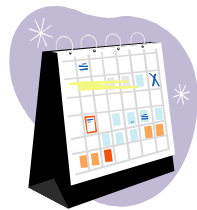
COURT FUNDING LEGISLATION

Because of the interest regarding court funding this legislative Session, we will keep you updated regularly with a court funding feature in each newsletter.

Legislation regarding court funding was filed in the House on Tuesday, February 24th by Representative Ellyn Bogdanoff. It is expected the Senate companion bill, to be filed by former Senate President, Sen. Ken Pruitt, will be filed by next week. See below for a summary of [HB 1121](#).

- An act relating to the disposition of court fees
- Provides legislative intent
- Creates s.28.002, F.S.
- Requires the Legislature to provide for transfer of court-related services from clerks of the court to the state courts system
- Specifies applicable court-related services
- Provides for future repeal
- Amends ss. [28.101](#), [28.241](#), [34.041](#), and [35.22](#), F.S.
- Revises allocations of certain court fees
- Provides for deposit of certain fees or portions of fees into the State Courts Revenue Trust Fund
- Proves an effective date of July 1, 2009

DATES & DEADLINES



[Click here](#) to view the SENATE daily calendars and weekly schedules.

[Click here](#) to view the HOUSE calendars and daily schedules.

***Interim calendars are subject to change**

2009 SESSION FILED BILLS

Below is a list of bills that we are monitoring for the Trial Lawyers Section of The Florida Bar. Bills that are considered **HIGH PRIORITY** are listed first, followed by numerical ordered bills. The chart below contains a link to each bill, as well as bill summaries, bill sponsors and the actions taken on the bill by the Legislature.

NUM.	TITLE	SPONSOR
HB 1121	Relating to Disposition of Court Fees	Bogdanoff
	Disposition of Court Fees: Requires Legislature to transfer specified court-related services of clerk of court to state courts system; revises allocations of specified court fees; provides for deposit of specified fees or portions of fees into State Courts Revenue Trust Fund. Effective Date: July 1, 2009 2/24/2009 HOUSE Filed	
HB 0903	Relating to Workers' Compensation Attorney's Fees	Flores
	Workers' Compensation Attorney's Fees: Requires fee, gratuity, or other consideration to be paid to attorney representing claimant as approved by judge of compensation claims or court having jurisdiction in accordance with statutory guidelines; revises amount of attorney's fees that may be paid; clarifies amounts claimant is eligible to recover from carrier or employer. Effective Date: upon becoming law 2/16/2009 HOUSE Filed	
SB 2072	Relating to Attorney's Fees/Workers' Compensation Cases	Richter
	Attorney's Fees/Workers' Compensation Cases: Clarifies requirements for the payment of fees and costs under a retainer agreement. Specifies the amount of attorney's fees which a claimant is entitled to recover from a carrier or employer. EFFECTIVE DATE: 07/01/2009.	

SB 1370 Relating to Contingency Fee Agreements

Fasano

Contingency Fee Agreements [SPSC]; Prohibits the Department of Legal Affairs of the Office of the Attorney General from entering into a contingency fee contract with a private attorney unless the Attorney General makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest, etc. EFFECTIVE DATE: 07/01/2009.

2/19/2009 SENATE Referred to Judiciary; Governmental Oversight and Accountability; Criminal and Civil Justice Appropriations; Policy & Steering Committee on Ways and Means

Relating to Contingency Fee Agreements

HB 0215 Between the Department of Legal Affairs and Private Attorneys

Eisnaugle

Contingency Fee Agreements Between the Department of Legal Affairs and Private Attorneys: Prohibits DLA from entering into contingency fee contract with private attorney unless AGO makes written determination prior to entering into such contract that contingency fee representation is both cost-effective & in public interest; requires written determination to include certain findings; requires AGO, upon making his or her written determination, to request proposals from private attorneys to represent DLA on contingency fee basis unless AGO determines in writing that requesting such proposals is not feasible under the circumstances; provides that written determination does not constitute final agency action; provides that request for proposals & contract award are not subject to challenge under APA; requires maintenance of specified records; limits amount of contingency fee that may be paid to private attorney pursuant to contract with DLA; requires Internet posting of specified information. Effective Date: July 1, 2009

1/22/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Criminal & Civil Justice Policy Council; Policy Council

2/10/2009 HOUSE On Committee agenda - Civil Justice & Courts Policy Committee, 02/17/09, 8:30 am, 28 H

2/17/2009 HOUSE Favorable by Civil Justice & Courts Policy Committee; 4 Yeas, 3 Nays; Now in Criminal & Civil Justice Policy Council

SB 1216 Relating to Relating to Clerk of the Board of County Commissioners

Oelrich

Clerk of the Board of County Commissioners [EPSC]; Requires the clerk to prepare certain required financial documents and authorizes the clerk to perform certain audits, reviews, and tests of county accounts. EFFECTIVE DATE: 07/01/2009.

2/12/2009 SENATE Referred to Community Affairs; Governmental Oversight and Accountability; Judiciary

HB 0703 Relating to Clerks of the Circuit Court

Dorworth

Clerks of the Circuit Court: Specifies authority of clerk of circuit court, as county auditor, to prepare financial statements & annual reports & conduct audits. Effective Date: upon becoming a law

2/25/2009 HOUSE Referred to Military & Local Affairs Policy Committee; Economic Development & Community Affairs Policy Council; Policy Council

SB 1220 Relating to Expert Testimony

Richter

Expert Testimony [SPSC]; Revises the circumstances under which the court may allow a witness who is qualified as an expert to testify as to the facts at issue in a case. Requires that state courts interpret and apply certain requirements for expert testimony in accordance with specified decisions of the United States Supreme Court. EFFECTIVE DATE: 07/01/2009.

2/12/2009 SENATE Referred to Judiciary; Criminal Justice

HB 0661 Relating to Expert Testimony

Weinstein

Expert Testimony: Provides that witness qualified as expert may testify as to facts at issue in case under certain circumstances; requires courts to interpret & apply principles of expert testimony in conformity with specified U.S. Supreme Court decisions. Effective Date: July 1, 2009

2/25/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Criminal L& Civil Justice Policy Council

SB 1254 Relating to Wrongful Death Coverage

Hill

Wrongful Death Coverage [CPSC]; Prohibits certain insurance policies from including family exclusions for wrongful death claims. Provides applicability. EFFECTIVE DATE: 07/01/2009.

2/12/2009 SENATE Referred to Banking and Insurance; Judiciary

HB 0711 Relating to Wrongful Death Coverage

Waldman

Wrongful Death Coverage: Prohibits certain motor vehicle liability insurance policies from including family exclusions for wrongful death claims; provides applicability. Effective Date: July 1, 2009

2/25/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Insurance, Business & Financial Affairs Policy Committee; Criminal & Civil Justice Policy Council; Policy Council

HB 0363 Relating to Parental Authority

Horner

Parental Authority: Authorizes natural guardians to waive & release, in advance, any claim or cause of action that would accrue to any of their minor children to same extent that any adult may do so on his or her own behalf. Effective Date: July 1, 2009

2/6/2009 HOUSE Referred to Insurance, Business & Financial Affairs Policy Committee; Civil Justice & Courts Policy Committee; General Government Policy Council

SB 0886 Relating to Parental Authority

Oelrich

Parental Authority [SPSC]; Authorizes natural guardians to waive and release, in advance, any claim or cause of action that would accrue to any of their minor children to the same extent that any adult may do so on his or her own behalf. EFFECTIVE DATE: 07/01/2009.

1/30/2009 SENATE Referred to Judiciary; Children, Families, and Elder Affairs; Rules

SB 1338 Relating to Small Claims Process

Judiciary
Committee

Small Claims Process [SPSC]; Increases certain fees for filing a civil action in county court. Eliminates the filing fee for reopening a small claims suit, action, or proceeding. Encourages the Florida Supreme Court to study the feasibility of increasing the current limit on the amount in controversy in a small claims action and to exclude personal injury protection cases from the small claims process, etc. EFFECTIVE DATE: 07/01/2009.

2/19/2009 SENATE Referred to Judiciary; Finance and Tax; Criminal and Civil Justice Appropriations

HB 1135 Relating to Florida Consumer and Small Business Arbitration Act

Poppell

Florida Consumer and Small Business Arbitration Act: Creates Florida Consumer & Small Business Arbitration Act; provides application; provides provisions relating to arbitration proceedings, arbitrator & umpire selection, rights & duties of parties, arbitrators & umpires, disclosure, awards, fees, awarding of damages, discovery, notice requirements, & appeals. Effective Date: July 1, 2009

2/24/2009 HOUSE Filed

The following is a list of bills we are monitoring that may be of interest to the Trial Lawyers Section of The Florida Bar. Bills are listed numerically with identical bills grouped together.

NUM.	TITLE	SPONSOR
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HB 0113 Relating to Service of Process

Frishe

Service of Process: Increases service fees in civil cases; exempts state agencies; deletes prohibition on additional fees for certain documents; provides that criminal witness subpoenas & summonses may be served by special process server or certified server; provides that unsatisfied executions docketed before specified date may be returned to issuing court; requires submission of affidavit before levying on real property; requires sheriff to furnish to judgment debtor copy of notice of sale, notice of levy & affidavit within specified period before execution; requires basing priority of liens on real property on effective date of lien for specified purpose; requires levying creditor to deliver affidavit setting forth certain information & attestations to sheriff at time of levy; in domestic violence or sexual abuse cases, authorizes transmission of facsimile copies of certified injunctions to sheriffs upon request, requires verification of receipt of facsimile before service, & authorizes service of facsimiles the same as certified copies. Effective Date: July 1, 2009

12/30/2008 HOUSE Referred to Civil Justice & Courts Policy Committee; Military & Local Affairs Policy Committee; Criminal & Civil Justice Policy Council; Policy Council

SB 0412 Relating to Service of Process

Crist

Service of Process [SPSC]; Increases fees charged by the sheriff in civil cases for service of process. Exempts the State of Florida and its agencies from increased fees. Provides that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server. Requires the submission of an affidavit before levying a judgment upon real property, etc. EFFECTIVE DATE: 07/01/2009.

1/15/2009 SENATE Referred to Judiciary; Criminal Justice; Finance and Tax; Criminal and Civil Justice Appropriations

1/23/2009 SENATE On Committee agenda - Judiciary, 02/04/09, 9:00 am, 110S

2/4/2009 SENATE Favorable by Judiciary; 9 Yeas, 0 Nays

2/5/2009 SENATE Now in Criminal Justice

2/25/2009 SENATE On Committee agenda - Criminal Justice, 03/04/09, 1:00 pm, 37 S

HB 0121 Relating to Collection of Court-Related Fees, Service Charges, Costs, and Fines by Circuit Courts and County Courts Soto

Collection of Court-Related Fees, Service Charges, Costs, and Fines by Circuit Courts and County Courts: Requires certain persons who owe court-related fees, service charges, costs, & fines to appear before court; requires each circuit court to implement Comprehensive Court Enforcement Program; requires clerk to record certified copy of order imposing additional costs; provides that order constitutes lien against person upon whom costs are imposed; provides exception; requires joint select committee to review methods of collecting court-related fees, costs, & fines & submit recommendations for uniform statewide collection method. Effective Date: July 1, 2009

12/30/2008 HOUSE Referred to Civil Justice & Courts Policy Committee; Criminal & Civil Justice Policy Council; Criminal & Civil Justice Appropriations Committee; Full Appropriations Council on General Government & Health Care

SB 0248 Relating to Court Costs/Joint Select Committee of Legislature Ring

Court Costs/Joint Select Committee of Legislature [SPSC]; Requires certain persons who owe court-related fees, service charges, costs, and fines to appear before the court. Requires each circuit court to implement the Comprehensive Court Enforcement Program. Requires the clerk of the court to record in the official record a certified copy of any court order imposing additional court costs, etc. EFFECTIVE DATE: 07/01/2009.

12/17/2008 SENATE Referred to Judiciary; Finance and Tax; Criminal and Civil Justice Appropriations; Policy & Steering Committee on Ways and Means; Rules

HB 0185 Relating to Access to Health Care Hudson

Access to Health Care: Establishes Florida Dental Health Access Task Force for specified purposes; specifies task force membership; provides for appointments, meetings, & filling vacancies; requires task force to develop recommendations & report to Legislature; provides for termination; expands membership of board of directors of Florida Healthy Kids Corporation; specifies provider arrangement contract prohibitions or restrictions; prohibits prepaid limited health service organizations from requiring specified contract continuation or renewal conditions; provides for absence of liability for specified criminal penalties; provides for application to health maintenance organizations of prohibition against requiring specified contract continuation or renewal conditions; revises time requirements for health care practitioner's waiver of license renewal fees & continuing education requirements. Effective Date: July 1, 2009

1/22/2009 HOUSE Referred to Health Care Regulation Policy Committee; Insurance, Business & Financial Affairs Policy Committee; Health & Family Services Policy Council; Health Care Appropriations Committee; Full Appropriations Council on General Government & Health Care

HB 0205 Relating to Mortgage Foreclosure Diversion Pilot Programs Kreegel

Mortgage Foreclosure Diversion Pilot Programs: Authorizes each judicial circuit to establish mortgage foreclosure diversion pilot program; provides for applicable rules of practice & procedure; requires that when such program exists, conciliation conference must be held before foreclosure order may issue in proceeding concerning owner-occupied residential property;

prescribes time period for such conference; specifies items included in order for such conference; provides for person to preside; specifies issues that must be addressed; specifies consequences if defendant fails to attend; provides for termination of pilot programs; provides intent concerning construction of provisions with regard to constitutional prerogatives of judiciary. Effective Date: upon becoming a law

1/22/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Insurance, Business & Financial Affairs Policy Committee; Criminal & Civil Justice Policy Council; Criminal & Civil Justice Appropriations Committee; Full Appropriations Council on General Government & Health Care

HB 0217 Relating to Court Costs

Eisnaugle

Court Costs: Expands list of provisions of law for which court is required to impose additional court cost for specified pleadings or findings relating to offenses against minor. Effective Date: July 1, 2009

1/22/2009 HOUSE Referred to Public Safety & Domestic Security Policy Committee; Criminal & Civil Justice Policy Council; Finance & Tax Council; Criminal & Civil Justice Appropriations Committee; Full Appropriations Council on General Government & Health Care

1/27/2009 HOUSE On Committee agenda - Public Safety & Domestic Security Policy Committee, 02/03/09, 8: 15 pm, 404 H

2/3/2009 HOUSE Favorable with CS by Public Safety & Domestic Security Policy Committee; 9 Yeas, 0 Nays

2/4/2009 ----- Bill to Be Discussed During the Office of the EDR's Revenue Estimating Impact Conference; 02/06/09, 8: 30 a.m., 117 K (No Votes Will Be Taken)

2/10/2009 HOUSE Committee Substitute (C1) Text Filed

2/18/2009 HOUSE Now in Criminal & Civil Justice Policy Council

SB 0526 Relating to Court Costs/Crimes Against Minors Lynn

Court Costs/Crimes Against Minors [SPSC] ; Requires a court to impose court costs against an offender for committing certain additional enumerated crimes against minors. Reenacts a specified provision, relating to the funding of the Florida Network of Child Advocacy Centers, to incorporate the amendment made to the provision in a reference thereto. EFFECTIVE DATE: 07/01/2009.

1/23/2009 SENATE Referred to Criminal Justice; Children, Families, and Elder Affairs; Criminal and Civil Justice Appropriations

HB 0369 Relating to Senior Judges

Ambler

Senior Judges: Provides for chief judge of judicial circuit, subject to approval by Chief Justice, to establish program for retired justices or judges to preside over civil cases & trials upon written request of one or more parties; provides for compensation; provides for additional court cost. Effective Date: upon becoming a law.

2/6/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Criminal & Civil Justice Policy Council; Criminal & Civil Justice Appropriations Committee; Full Appropriations Council on General Government & Health Care

SB 1584 Relating to Senior Judges

Altman

Senior Judges; Conforms provisions to changes made by this act. Provides for the chief judge of a judicial circuit, subject to approval by the Chief Justice of the Supreme Court, to establish a program for retired justices or judges to preside over civil cases and trials upon written request of one or more parties. Provides for compensation of such justices or judges. Provides for an additional court cost and for deposit thereof, etc. EFFECTIVE DATE: Upon becoming law.

2/13/2009 SENATE Filed

HB 0383 Relating to Discovery Depositions

Thompson N

Discovery Depositions: Provides that discovery deposition may not be taken in case in which defendant is charged only with felony of third degree, misdemeanor, or criminal traffic offense when all other discovery provided by law has been completed; provides exception for good cause; requires trial court to consider certain factors before allowing deposition; provides that prohibition against taking discovery deposition does not apply under specified circumstance; repeals Rule 3.220(h)(1)(D), Florida Rules of Criminal Procedure, relating to discovery depositions for misdemeanors. Effective Date: October 1, 2009, except that section 2 of this act shall take effect only if this act is enacted by a two-thirds vote of the membership of each house of the Legislature

2/6/2009 HOUSE Referred to Public Safety & Domestic Security Policy Committee; Criminal & Civil Justice Policy Council; Full Appropriations Council on General Government & Health Care

HB 0395 Relating to Collaborative Process

Tobia

Collaborative Process: Provides that a collaborative process in which parties attempt to resolve a matter pursuant to a collaborative participation agreement without court intervention begins with a collaborative participation agreement among the parties; provides that a collaborative participation agreement tolls statute of limitations while it remains in effect; provides that collaborative communications are confidential; provides exceptions; provides that information otherwise admissible or subject to discovery does not become inadmissible or protected by reason of its disclosure or use in a collaborative process; provides that a party that discloses or makes a representation about a privileged collaborative communication waives privilege but only to the extent necessary for the other party to respond; provides for sanctions for breaches of confidentiality; provides immunity from sanctions for certain actions. Effective Date: July 1, 2009

2/6/2009 HOUSE Referred to Civil Justice & Courts Policy Committee; Criminal & Civil Justice Policy Council; Criminal & Civil Justice Apps Committee; Full Approps Council on General Government & Health Care

2/10/2009 HOUSE On Committee agenda - Civil Justice & Courts Policy Committee, 02/17/09, 8:30 am, 28 H

2/17/2009 HOUSE Temporarily postponed by Civil Justice & Courts Policy Committee

SB 1416 Relating to Collaborative Process/Dispute Resolution

Rich

Collaborative Process/Dispute Resolution [SPSC]; Cites this act as the "Collaborative Process Act." Provides the purposes of the act. Provides definitions. Tolls statutes of limitations and other periods of time established by law or agreement to enforce a legal or contractual right. Provides for confidentiality of communications made during the collaborative process. Provides exceptions. Authorizes sanctions for disclosure of confidential

communications. EFFECTIVE DATE: 07/01/2009.

2/10/2009 SENATE Filed

2/19/2009 SENATE Referred to Judiciary; Criminal and Civil
Justice Appropriations

SB 0398 Relating to District and School Advisory Councils/Members Sobel

District and School Advisory Councils/Members [SPSC]; Provides that a majority of the members of a school advisory council not be employed by the school. EFFECTIVE DATE: 07/01/2009.

1/15/2009 SENATE Referred to Education Pre-K - 12;
Governmental Oversight and Accountability

HB 0495 Relating to Negligence Murzin

Negligence: Provides that if person slips & falls on transitory foreign substance in business establishment, injured person must prove that business establishment had actual or constructive knowledge of condition & should have taken action to remedy it; provides that constructive knowledge may be proven by circumstantial evidence; repeals provisions relating to duty to maintain premises & burden of proof in claims of negligence involving transitory foreign objects or substances. Effective Date: July 1, 2009

2/13/2009 HOUSE Referred to Civil Justice & Courts Policy
Committee; Criminal & Civil Justice Policy Council;
Policy Council

SB 0510 Relating to Injunctions for Protection/Violence Hill

Injunctions for Protection/Violence [SPSC]; Requires the sheriff or other law enforcement officer who serves injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence upon a respondent to notify the petitioner within a specified period that the respondent has been served if the petitioner has requested notification and has registered a telephone number or e-mail address with the sheriff. Provides for the content of the notice. EFFECTIVE DATE: 07/01/2009.

1/15/2009 SENATE Referred to Criminal Justice; Judiciary;
Criminal and Civil Justice Appropriations

HB 0511 Relating to Professional Liability Claims O'Toole

Professional Liability Claims: Revises requirements for professional liability claims & actions; requires absence of claims submission reports to be filed under specified circumstances. Effective Date: July 1, 2009

2/13/2009 HOUSE Referred to Civil Justice & Courts Policy
Committee; Insurance, Business & Financial Affairs
Policy Committee; Criminal & Civil Justice Policy
Council; Policy Council

HB 0525 Relating to Senior Judges Planas

Senior Judges: Revises definition of terms "retired justice" & "retired judge" for purposes of assignment to temporary duty. Effective Date: July 1, 2009

1/20/2009 HOUSE Filed

SB 0940 Relating to Retired Justices and Judges Dean

Retired Justices and Judges [SPSC]; Provides that a former justice or judge may be qualified to serve as a retired justice or judge under certain conditions. Provides circumstances under which such justice or judge may not serve as a retired justice or judge. EFFECTIVE DATE: 07/01/2009.

2/5/2009 SENATE Referred to Judiciary; Ethics and Elections;
Criminal and Civil Justice Appropriations

SB 0704 Relating to Foreclosure/Termination of a Rental Agreement Lynn

Foreclosure/Termination of a Rental Agreement [SPSC]; Prohibits a landlord from terminating the rental agreement without a specified period of prior notice. Requires a landlord to notify each tenant that foreclosure proceedings have been initiated against the premises of which his or her dwelling unit is a part. Requires the tenant to pay rent so long as the tenant remains in the dwelling unit, etc. EFFECTIVE DATE: 07/01/2009.

1/23/2009 SENATE Referred to Judiciary; Banking and Insurance

SB 0766 Relating to Anatomical Gifts Oelrich

Anatomical Gifts [SPSC]; Revises the list of donees that may accept anatomical gifts and the purposes for which such gifts may be used. Revises provisions relating to a donor's amendment or revocation of an anatomical gift. Revises provisions relating to a donee's use of an anatomical gift. Revises provisions relating to a donee's use of an anatomical gift at the time of the donor's death. Provides that the laws of this state govern the interpretation of a valid document of gift, etc. EFFECTIVE DATE: 07/01/2009.

1/23/2009 SENATE Referred to Health Regulation; Judiciary; Health and Human Services Appropriations

2/9/2009 SENATE On Committee agenda - Health Regulation, 02/18/09, 9:00 am, 412 K

2/18/2009 SENATE Favorable with CS by Health Regulation; 8 Yeas, 0 Nays

2/19/2009 SENATE Committee Substitute (C1) Text Filed; Now in Judiciary

HB 0851 Relating to Public Meetings/Attorney-Client Sessions Mayfield

Public Meetings/Attorney-Client Sessions: Expands persons authorized to attend private meeting between governmental entity & entity's attorneys to discuss pending litigation to which governmental entity is party before court or administrative agency; revises & provides additional conditions precedent to such private meetings. Effective Date: upon becoming a law

2/12/2009 HOUSE Filed

SB 1386 Relating to Public Meetings/Pending Litigation Rich

Public Meetings/Pending Litigation [EPSC]; Adds the risk manager and certain division heads of a governmental entity to the persons who may attend a private meeting discussing pending litigation. Authorizes the required public announcement of an attorney-client session to be made immediately before the session. Prohibits a person who attends such a session from disclosing any part of the discussion until the conclusion of the litigation unless ordered by the court, etc. EFFECTIVE DATE: Upon becoming law.

2/19/2009 SENATE Referred to Community Affairs; Judiciary; Governmental Oversight and Accountability

SB 0882 Relating to Government Contractors/Contractual Relationships Fasano

Government Contractors/Contractual Relationships [SPSC]; Provides that certain charitable organizations that execute a contract with a health care provider are agents for purposes of sovereign immunity and may not be named as a defendant in an action arising out of medical care or treatment. Requires that certain charitable organizations provide written notice to patients that the provider is an agent of the governmental contractor. Revises requirements for rules adopted by the DOH, etc. EFFECTIVE DATE: 07/01/2009.

1/30/2009 SENATE Referred to Health Regulation; Judiciary; Health and Human Services Appropriations

SB 1086 Relating to Federal Grants Trust Fund/State Courts System Crist

Federal Grants Trust Fund/State Courts System [WPSC]; Re-creates the Federal Grants Trust Fund within the state courts system without modification. Abrogates provisions relating to the termination of the trust fund, to conform. EFFECTIVE DATE: 07/01/2009.

2/5/2009 SENATE Referred to Criminal & Civil Justice Appropriations

2/6/2009 SENATE On Committee agenda - Criminal and Civil Justice Appropriations Committee, 02/19/09, 9: 30 am, 37 S

2/19/2009 SENATE Favorable by Criminal and Civil Justice Appropriations; 5 Yeas, 0 Nays; Placed on Calendar, on second reading

SB 1106 Relating to Operating Trust Fund/State Courts System Crist

Operating Trust Fund/State Courts System; Re-creates the Operating Trust Fund within the state courts system without modification. Abrogates provisions relating to the termination of the trust fund, to conform. EFFECTIVE DATE: 07/01/2009.

2/6/2009 SENATE Referred to Criminal and Civil Justice Appropriations; On Committee agenda - Criminal and Civil Justice Appropriations Committee, 02/19/09, 9: 30 am, 37 S

2/19/2009 SENATE Favorable by Criminal and Civil Justice Appropriations; 5 Yeas, 0 Nays; Placed on Calendar, on second reading

SB 1270 Relating to Nursing Home Facilities/Liability Insurance Storms

Nursing Home Facilities/Liability Insurance [SPSC]; Provides that general and professional liability insurance policies containing certain provisions are insufficient to fulfill certain requirements specified by state law. Provides for applicability. EFFECTIVE DATE: 07/01/2009.

2/12/2009 SENATE Referred to Health Regulation; Banking and Insurance; Judiciary; Health and Human Services Appropriations

SB 1284 Relating to Florida Statutes Villalobos

Florida Statutes [WPSC]; Amends, deletes, and reenacts provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded. Replaces incorrect cross-references and citations. Corrects grammatical, typographical, and like errors. Removes inconsistencies, redundancies, and unnecessary repetition in the statutes, etc. EFFECTIVE DATE: 60 days after sine die.

2/5/2009 SENATE Referred to Rules

2/9/2009 SENATE On Committee agenda - Rules, 02/17/09, 4: 15 pm, 110 S

2/17/2009 SENATE Favorable by Rules; 17 Yeas, 0 Nays

2/18/2009 SENATE Placed on Calendar, on second reading; Placed on Special Order Calendar for 03/03/09

SB 1574 Relating to Legislature/Oaths and Affirmations Villalobos

Legislature/Oaths and Affirmations; Eliminates the authority of members of a legislative committee to administer certain oaths and affirmations to witnesses. Eliminates penalties for false swearing before a legislative committee. Requires that persons addressing a legislative committee take an oath or affirmation of truthfulness. Requires that a member of the legislative committee administer the oath or affirmation, etc. EFFECTIVE DATE: 07/01/2009.

2/13/2009 SENATE Filed

CLOSING STATEMENT: Throughout Session, we will have weekly **conference calls scheduled every Friday beginning at noon**, with the final call scheduled on the last day of Regular Session, Friday, May 1st. The call-in information is as follows:

- Call 1-866-200-9760
- 2220721#

If for some reason you are unable to access the conference call, please call Kristen Plyler (850-443-4551) or email her at kplyler@lawfla.com.

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