April 2023 www.floridafop.com

LEGISLATIVE Session 2023

OUR PRIORITIES THIS SESSION

Retirement date for FRS Special Risk from 30 years to 25 years of service. HB239 Rep Busatta-Cabrera and SB 224 Senator Hooper.

Brady List legislation protections for LEOs. HB95 by Rep Duggan, SB 618 by Senator Yarborough

COLA Legislation HB 181 by Rep J. Lopez

Bereavement/Funeral for FDLE in line of duty death; HB 535 by Rep Botana and SB 364 by Senator Avila

Road designation for officers killed in the line of duty SB 606 by Senator Yarborough

Budgetary improvements to training funding for LEOs and any additional available increases to salary or benefits on the budget

The Fraternal Order Of Police Legislative team has worked hard on laying the ground work for a very aggressive list of priority legislation. The first week of pomp and ceremony of the opening of session are over and the second week has been filled with negotiations and collecting votes and support for our priority issues. The lions share of the base work of drafting, sponsorship, educating, and garnering support were done during the interim committee meetings and we are now working on maneuvering thru the maze that is the legislative session.

President Zona has spent many hours and weeks with trips to Tallahassee to work on the issues for FOP and has been joined by Chairman Michael Kelly, Dave Bernhardt, Felix Del Rosario, Al Palacio, Jeff Stinson, Jim Sniffen and Adam Myers. We look forward to working with the Firefighters and other interested parties to move law enforcement issues forward during the 2023 legislative session.

BRADY LIST LEGISLATION

House Bill 95 by Representative Duggan is a top priority for law enforcement, as it adds due process to the use of a Brady List/Brady Identification. This legislation adds this issue to the bill of rights and is currently being opposed by the Florida Prosecutors Association and is being negotiated with them and the Florida Sheriff's Association. HB 95 has one remaining committee meeting in the House and we expect a hearing on the legislation on Thursday March 23rd. The initial vote on the legislation passed 15-1.

Senate Bill 618 by Senator Yarborough is up for a hearing on Monday March 20th, and will amended with language that we currently find acceptable. A lot of work went into getting this on the agenda in the senate. We expect this to be a contested hearing as the Florida Prosecutors Association is now actively opposing this legislation. We have worked with and will continue to work with them

Pictured: President Steve Zona and Rep Wyman Duggan, a 2 time FOP Legislator of the Year!

FRS RETIREMENT 30 YRS TO 25 YRS

House Bill 239 by Representative Demi Busatta-Cabrera changes the retirement years of service from 30 years to 25 years and fixes the gap of drop eligibility for this change. The legislation has already passed out of one committee with a 14-0 vote and now moves on to the full Appropriation Committee that is chaired by Representative Leek. Senate Bill 224 by Senator Ed Hooper is scheduled for a hearing on March 22nd and we are currently requesting co-sponsors and look forward to continuing the forward momentum on this issue that will effect every LEO that is in the FRS pension system.

Pictured: District 7 Director Jeff Stinson, Rep Demi Busatta-Cabrera and President Steve Zona

This legislation is the work product of a coalition of first responder groups all working together to help fix the Florida Retirement System. The Fraternal Order Of Police, The Florida Professional Firefighters, the Florida Police Benevolent Association, The Florida Fire Chiefs Association, The Florida Sheriff's Association, and the Florida Police Chiefs have all come together with a common goal and we look forward to a positive change to the retirement system.

The FRS legislation is such a critical bill this session, it has brought the FOP, PBA, IUPA, FPF, FFCA, FPCA, and FSA together to push forward1

FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by representative Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. This legislation has been in two committees with a 14-0 and 27-0 vote. The legislation has one remaining stop in the State Affairs committee and it will then be ready for a floor vote.

Senate Bill 364 by Senator Avila has been heard in committee and passed out in a 8-0 vote, and is now awaiting a hearing in Senate Criminal Justice.

Pictured: State President Steve Zona and Rep Adam Botana

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0) and is on the agenda for another hearing on March 21st.

Senate Bill 606 by Senator Yarborough is awaiting a hearing in Senate Transportation Committee and we are looking to amend it into a bill that will be a collection of all the road designation bills. We will be working Senator DiCeglie the chairman of the committee in the up coming week.

HALO

House Bill 1539 by Representative Rizzo is legislation that creates a buffer 30 feet for LEOs and the public. It creates a requirement that no one can impede or provoke LEOs in a 30 foot radius. The legislation is awaiting a hearing in House Criminal Justice.

Senate Bill 1126 by Senator Avila is awaiting a hearing in Senate Criminal Justice. We will be working with Senator Martin the chairman of the committee in an attempt to have the bill placed on the agenda in the Senate.

SUPPORTED ISSUES

House Bill 927 by Representative Alvarez is legislation that allows for limited injunctive relief for the Bill of Rights, only for discipline and 180 days. This legislation has not been heard in the House and is awaiting a hearing in House Criminal Justice.

Senate Bill 1086 by Senator Gruters has been heard in the Senate Criminal Justice Committee and passed 7-0, the bill is now awaiting a hearing in Senate Governmental Oversight.

House Bill 437 by Representative Buchanan is legislation that allows someone to fly a flag at their home without interference from HOAs. The bill as it is currently drafted is placing first responder flags as exempt from HOA limitations. Currently there is amendment language filed to more narrowly craft the language to state any American Flag no matter the colors. This bill is scheduled for a hearing on March 20th.

Senate Bill 1454 by Senator Gruters is scheduled for a hearing on March 21st.

Pictured: State 2nd VP Dave Bernhardt, WPB Lodge 2 President Adam Myers, State Representative D61 Linda Chaney, District 4 Director Mike Kelly, WPB Lodge 2 VP Jim Sniffen

Next Week

MONDAY MARCH 20, 2023

10:00AM	**House**	**Civil Justice Subcommittee**	
HB437		Homeowners' Right to Display Flags	Buchanan
12:30PM	**Senate**	**Children, Families, and Elder Affairs**	
SB1412		Mental Health	Bradley
12:30PM	**Senate**	**Transportation**	
SB96		Transportation Facility Designations/Deputy Sheriff Michael Hartwick Memorial Highway	DiCeglie
3:30PM	**Senate**	**Criminal Justice**	
SB504		Expunction of Criminal History Records	Rodriguez
SB618		Rights of Law Enforcement Officers & Correctional Officers	Yarborough
SB1332		Missing Persons	Martin
SB1342		Capital Sexual Battery	Martin
3:30PM	**Senate**	**Health Policy**	
SB914		Suicide Prevention	Garcia (I)

"The legislative team has worked hard this session to develop and maintain relationships while pursuing our priority legislation. It is early in the process and we are thankful for all those who have contributed to our success in Tallahassee. It's definitely a honor and privilege to work for our members."

-President Steve Zona

TUESDAY MARCH 21, 2023

8:30AM Senate Appropriations Committee on Transportation, Tourism & Economic Development

SB588	Enforcement of School Zone Speed Limits	Rodriguez

8:30AM Senate Finance and Tax

SB184	Homestead Exemption for First Responders	Polsky

9:00AM House Agriculture, Conservation & Resiliency Subcommittee

HB1279	Department of Agriculture and Consumer Services	Alvarez

11:00AM Senate Appropriations Committee on Criminal & Civil Justice

SB7038	Trust Funds/Opioid Settlement Trust Fund/ Department of Law Enforcement	Appropriations Committee on Criminal and Civil Justice

11:30AM House Choice & Innovation Subcommittee

HB301	Emergency Response Mapping Data	Alvarez

11:30AM House Infrastructure & Tourism Appropriations Subcommittee

HB197	Penalties for Refusal to Submit to Breath-alcohol Test	Koster

11:30AM House Insurance & Banking Subcommittee

HB487	Department of Financial Services	Salzman

2:00PM House Criminal Justice Subcommittee

HB1297	Capital Sexual Battery	Baker
HB67	Obscene or Harassing Telephone Calls	Gottlieb

2:30PM Senate Regulated Industries

SB1028	Professional Licensing Requirements for Barbers and Cosmetologist	Stewart
SB1454	Homeowners' Right to Display Flags	Gruters

WEDNESDAY MARCH 22, 2023

8:30AM Senate Rules

SB0404	Public Records/Autopsy Reports of Minors Whose Deaths were Related to Domestic Violence	Perry

11:00AM Senate Community Affairs

SB696	Local Officials	Ingoglia

11:00AM Senate Governmental Oversight & Accountability

SB414	Criminal Conflict & Civil Regional Counsel Membership in the Senior Management Service Class	Bradley
SB1124	Employment of Ex-offenders	Calatayud
SB1310	Expanding Public Sector Career Opportunities	DiCeglie
SB1156	Florida Retirement System	Burton
SB224	Special Risk Class Retirement Date	Hooper

House Directory **Senate Directory**

Week 3 Updates

The Fraternal Order Of Police Legislative team continues to work on priority legislation and issues that effect law enforcement. This weeks focus was on pension changes, Brady Legislation, Flags, Paycheck Protection, and Road Designation for Fallen Officers.

President Zona was joined by Jeff Stinson and Gary Porter from Lodge 93, who worked on legislation, gathered votes, worked on pension changes and met with Governor's Appointments Office. The Fraternal Order of Police continues to work with the Public Safety Coalition on pension reform. The group has worked hard and are working closely with Speaker Renner on pension reform.

BRADY LIST LEGISLATION

House Bill 95 by Representative Duggan is a top priority for law enforcement , as it adds due process to the use of a Brady List/ Brady Identification. This legislation adds this issue to the bill of rights and is now being supported by the Florida Prosecutors Association and the Florida Police Chiefs Association. HB 95 was heard in the one remaining committee meeting in the House and passed with a 21-0 vote in House Judiciary.
Senate Bill 618 by Senator Yarborough was heard in the Senate Criminal Justice committee and passed with a 7-0 vote, we are working with Senator Jennifer Bradley to place the bill on it's next committee, Senate Appropriations Committee on Criminal and Civil Justice. The bill is expected to be up during week 6 of session. Now that the legislation has been fully negotiated it should have no problems working it's way through the process.

Pictured: Lodge 93 2nd Vice president Gary Porter, Bill Sponsor Rep. Duggan, President Steve Zona and District 7 Director & Lodge 93 President Jeff Stinson

FRS RETIREMENT 30 YRS TO 25 YRS

House Bill 239 by Representative Demi Busatta-Cabrera changes the retirement years of service from 30 years to 25 years and fixes the gap of drop eligibility for this change. The legislation has already passed out of one committee with a 14-0 vote and now moves on to the full Appropriation Committee that is chaired by Representative Leek. The legislation is scheduled for a hearing on March 28th. Speaker Renner has offered a committee amendment to this bill and it is poised to be one of most impactful to help public safety since 2011.
The Senate companion bill is Senate Bill 224 by Senator Ed Hooper and it was heard in the Senate Governmental Oversight committee and passed with a 7-0 vote. It now moves to Senate Community Affairs

This legislation is offered by the House the Representatives and must be agreed upon by the Senate. We expect this legislation to be rolled into the budget conforming bills and will become part of the budget conference negotiations.

This legislation is the work product of a coalition of first responder groups all working together to help fix the Florida Retirement System. The Fraternal Order Of Police, The Florida Professional Firefighters, the Florida Police Benevolent Association, The Florida Sheriffs Association, IUPA and the Florida Police Chiefs have all come together with a common goal and we look forward to a positive change to the retirement system.

Pictured above: Senator Ed Hooper, 2 time FOP Legislator of the year presenting SB224 for the changes to FRS.

Full Breakdown of legislation was sent out Friday, FRS Announcement

FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by representative Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. This legislation has been in two committees with a 14-0 and 27-0 vote. The legislation has one remaining stop in the State Affairs committee and we expect it to be heard on March 31st.

Senate Bill 364 by Senator Avila has been heard in committee and passed out in a 8-0 vote, and is now awaiting a hearing in Senate Criminal Justice, and we are being told that it will be heard during week 5 of the session.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill passed it's second committee of reference House Appropriations on Infrastructure and passed 10-0 and now awaits a hearing in it's final committee.

Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie and passed in the Senate Transportation on a 10-0 vote. We are poised to start working this legislation through it's lasts obstacles in the coming weeks.

Pictured Left: State President Steve Zona and Bill Sponsor Rep Chuck Brannan

Pictured Right: Senator Clay Yarborough and State President Steve Zona

HALO

House Bill 1539 by Representative Rizzo is legislation that creates a buffer 30 feet for LEOs and the public. It creates a requirement that no one can impede or provoke LEOs in a 30 foot radius.The legislation is awaiting a hearing in House Criminal Justice.

Senate Bill 1126 by Senator Avila is scheduled for a hearing in Senate Criminal Justice on March 27th.

SUPPORTED ISSUES

Senate Bill 1034 by Senator Rodriguez add corrections to the DROP extension. The legislation pass the Senate Governmental Oversight Committee with an 8-0 vote. The legislation will be heard in Senate Community Affairs on March 28th. House Bill 613 by Representative Alina Garcia and has passed it's first committee with a 14-0 vote. It now is awaiting a hearing in House Appropriations.

House Bill 437 by Representative Buchanan is legislation that allows someone to fly a flag at their home without interference from HOAs. The bill as it is currently drafted is placing first responder flags as exempt from HOA limitations. Currently there is amendment language filed to more narrowly craft the language to state any American Flag no matter the colors. This bill passed 14-0 in it's first committee in the House

Senate Bill 1454 by Senator Gruters passed Regulated Industries on a 9-0 vote.

Pictured: FOP Lobbyist Lisa Henning working hard for the members in Tallahassee. If she is not on her phone she is in a legislators office or on her computer.

This Week

MONDAY MARCH 27, 2023

8:00AM	**House**	**Insurance & Banking subcommittee**	
HB1299		Payments for Health Care Providers and Surgical Procedures Under Workers' Compensation	Daley
8:30AM	**Criminal Justice Impact Conference**		
HB67		Protection of Specified Personnel	Gottlieb
HB71		Violent Offenses Committed Against Criminal Defense Attorneys	Maney
HB123		Sexual Battery on Mentally Incapacitated Persons	Cassel
SB232		Exploitation of Vulnerable Persons	Garcia (I)
HB329		Electronic Monitoring of Persons Charged with or Convicted	Maggard
HB365		Controlled Substances	Plakon
HB369		Offenses Committed on Assistant State Attorneys	Fabricio
HB1297		Capital Sexual Battery	Baker
SB1300		Animals Working with Law Enforcement Officers	Burton
HB1307		Department of Agriculture and Consumer Services	McClure
HB1539		Impeding, Provoking, or Harassing Law Enforcement Officers	Rizo
9:00AM	**House**	**Choice & Innovation Subcommittee**	
HB591		Social Media Protection for Minors	Rayner- Goolsby
11:30AM	**House**	**Justice Appropriations Subcommittee**	
HB657		Enforcement of School Zone Speed Limits	Koster
11:30AM	**Senate**	**Children, Families, and Elder Affairs**	
SB786		Public Records/Special Persons Registry	Burgess
11:30AM	**Senate**	**Transportation**	
SB464		Driving in the Furthermost Left-hand Lane of a Roadway	Perry

MONDAY MARCH 28, 2023 continued

2:00PM House Health & Human Services Committee

HB829	Operation and Administration of the Baker Act	Silvers

3:00PM Senate Commerce and Tourism

SB490	Family and Household Members of Homicide Victims and Deceased Minors	Jones
SB492	Public Records/Requesting Specified Leave Relating to a Homicide	Jones

3:00PM Senate Criminal Justice

SB998	Chiefs of Police	Burgess
SB1126	Impeding, Provoking, or Harassing First Responders	Avila
SB1300	Animals Working with Law Enforcement Officers	Burton

TUESDAY MARCH 28, 2023

8:00AM House Appropriations Committee

HB239	Special Risk Class Retirement Date	Gottlieb
HB337	Workers' Compensation Benefits for Post-traumatic Stress Disorder	McFarland
HB1121	Florida Retirement System	Bartleman
HB1285	Florida State Guard	Giallombardo

9:00AM Senate Appropriations

SB7024	Retirement	Governmental Oversight and Accountability
SB7038	Trust Funds/Opioid Settlement Trust Fund/ Department of Law Enforcement	Appropriations Committee on Criminal and Civil Justice

2:00PM House Constitutional Rights, Rule of Law & Government Operations Subcommittee

HB935	Chiefs of Police	Jacques
HB233	Family and Household Members of Homicide Victims and Decease Minors	Michael

2:00PM House PreK-12 Appropriations Subcommittee

HB301	Emergency Response Mapping Data	Alvarez
HB741	Enforcement of School Bus Passing Infractions	Michael

2:00PM House Regulatory Reform & Economic Development Subcommittee

HB437	Homeowners' Right to Display Flags	Buchanan

WEDNESDAY MARCH 29, 2023

8:30AM Senate Banking & Insurance

SB302	Government and Corporate Activism	Grall

8:30AM Senate Community Affairs

SB1034	State-administered Retirement Systems	Rodriguez
SB1310	Expanding Public Sector Career Opportunities	DiCeglie

8:30AM Senate Governmental Oversight & Accountability

SB1670	Deferred Retirement Option Program	Broxson
SB7020	Public Records/Mobile Suspicious Activity Reporting Tool	Education Pre-K - 12
SB7022	OGSR/Marjory Stoneman Douglas High School Public Safety Commission/Safe-school Officers	Education Pre-K - 12

3:30PM Senate Session. Consideration of Bills on Third Reading

SB256	Employee Organizations Representing Public Employees	Ingoglia

THURSDAY MARCH 30, 2023

11:30AM House Special Orders

HB339	Education of Dependents of Deceased or Disabled Service members, Prisoners of War, and Persons Missing in Action	Yarkosky
HB329	Electronic Monitoring of Persons Charged with or Convicted of Offenses Involving Schools or Students	Maggard

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Week 4 Updates

March 27-31

The Fraternal Order Of Police Legislative team worked on positioning the priority issues to be heard in their final committees. The team also attended the hearings on the HALO bills and continue to work with the members of the legislature to perfect the language in the bill. The Public Defenders and the ACLU opposed the legislation and there were requests for clarifying some terms in the bill language. Senate Bill 1126 by Senator Avila passed Senate Criminal Justice 6-2 and House Bill 1539 by Representative Rizo passed House Criminal Justice in a 16-2 vote. The bill drafter District Director Al Palacio was joined by Delio Jimenez and Tony Huet from District 6.

Lisa Henning was joined by Beau Bottin and John Gay from Jacksonville Lodge 5-30, and they worked with their local delegation to continue the strong relationships with the legislators of FOP District 2. Freshman Representative Kiyan Michael defended the difficult job that law enforcement officers do for the community and supported the HALO legislation as a needed protection for first responders.

Pictured: John Gay, Rep Rizo, Beau Bottin, District 6 Director Al Palacio, Delio Jimenez and Tony Huet

Representative Bernie Jacques continued his support of law enforcement and helped to bring the HALO bill in for the 16-2 vote in the House Committee on Criminal Justice.

BRADY LIST

House Bill 95 by Representative Duggan is a top priority for law enforcement , as it adds due process to the use of a Brady List/ Brady Identification. This legislation adds this issue to the bill of rights and is now being supported by the Florida Prosecutors Association and the Florida Police Chiefs Association. HB 95 was placed on the House 2nd reading calendar this week and is now available for floor action in the House of Representatives. Senate Bill 618 by Senator Yarborough was heard in the Senate Criminal Justice committee is awaiting a hearing in the Senate Appropriation Committee on Criminal and Civil Justice. The next committee hearing is on 4/12 and we have every assurance that Senator Jennifer Bradley will place bill on the agenda for hearing.

FRS RETIREMENT 30 YRS TO 25 YRS

House Bill 239 by Representative Demi Busatta-Cabrera changes the retirement years of service from 30 years to 25 years, returns the COLA, increases DROP percentages and fixes the gap of drop eligibility for this change. The legislation was made into a Committee Substitute and the negotiations between the Speaker and the Senate President will begin. This issue will become part of budget negotiations and we must continue to work on the members of the Senate. The bill was voted on and passed House Appropriations, the bill was then waived from it's final committee and placed on Special Order Calendar and will be voted on in a floor session on April 3. The Senate companion bill is Senate Bill 224 by Senator Ed Hooper and is up for a hearing in the Senate Community Affairs Committee on April 5. It will then go to the Senate Appropriations Committee and hopefully to the floor. Currently, there is no conforming amendment filed to match the House.

While the Speaker of the House has passed legislation out of the house that returns the FRS to 25 years, returns the COLA, extends the drop & increases the drop accrual, we all have to remember the Senate must agree to make the same changes. The unprecedented coalition of public safety unions and public safety management will continue to work hard to get it across the finish line

Pictured Beau Bottin, Representative Kiyan Michael and John Gay

FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. The legislation passed it's final committee in the House and passed the House State Affairs Committee 16-0 and will now be available for floor action. Senate Bill 364 by Senator Avila is scheduled for a hearing in Senate Criminal Justice on April 4.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill now awaits a hearing in it's final committee in House Appropriations on Infrastructure Strategies, which is scheduled to meet on 4/10. Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie , and we are currently awaiting a hearing in Senate Transportation Appropriations, which is scheduled for a hearing on 4/12.

HALO

House Bill 1539 by Representative Rizzo is legislation that creates a buffer 20 feet for LEOs and the public. It creates a requirement that no one can impede or provoke LEOs in a 20 foot radius.The legislation passed House Criminal Justice and now awaits a hearing in House Judiciary, the next meeting of House Judiciary is on Tuesday April 11 and we are working to get the bill placed on the agenda and heard. Senate Bill 1126 by Senator Avila is scheduled for a hearing in Senate Criminal Justice and now in Senate Community Affairs and is scheduled for a hearing on Wednesday April 5.

ONGOING ISSUES

House Bill 437 by Buchanan / Senate Bill 1454 by Gruters is legislation that will help with problem of HOA's not allowing the thin blue line flags. The bill is slowly moving it's way thru the process and will be up in the Senate Community Affairs Committee on Wednesday April 5. Senate Bill 256 by Ingoglia / House Bill 1445 by Black the pay check protection act has passed the Senate and is in Messages to the House of Representatives. The house bill is awaiting a hearing in House State Affairs Committee. Please note that the House is not hampered by the same rules as the Senate and this bill can be sent to the floor without being heard in all of it's committees. We currently are watching this legislation closely, to make certain that public safety remains carved out of the bill.

Miami Lodge 20 joined the Legislative crew for the Miami-Dade Days annual Pig Roast. Felix Del Rosario , Walter Lewis, Yaosca Vanegas, Albert Guerra, Francisco Almonte, Jose Gutierrez, Floyd Pinckney, Johanna Garcia, Joseph Prado, and Madelin Garcia.

DADE DAYS 2023

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This Week

MONDAY APRIL 3 2023

10:00AM Senate Session

SB7024	Retirement	Governmental Oversight and Accountability

1:00PM House Session Special Orders

HB239	Florida Retirement System	Busatta-Cabrera
HB1285	Florida State Guard	Giallombardo

TUESDAY APRIL 4, 2023

8:30AM Senate Criminal Justice

SB296	Lawful Breath Test for Alcohol	DiCeglie
SB364	Bereavement Benefits for State Employees	Avila
SB376	Automatic Sealing of Criminal History Records	Burgess
SB424	Time Limitations for Prosecution of Certain Sexual Offenses	Davis
SB432	Driving Under the Influence	Wright
SB490	Investigations into the Death of Minors	Jones
SB786	Public Records/Special Persons Registry	Burgess

11:00AM Senate Children, Families, and Elder Affairs

SB1384	Legal Proceedings for Children	Burton

2:00PM Senate Judiciary

SB1300	Animals Working with Law Enforcement Officers	Burton

WEDNESDAY APRIL 5, 2023

8:30AM Senate Banking & Insurance

SB1344	Medical Treatment Under the Workers' Compensation Law	Bradley

8:30AM Senate Community Affairs

SB224	Special Risk Class Retirement Date	Hooper
SB1126	Impeding, Provoking, or Harassing First Responders	Avila
SB1400	County Constitutional Offices	Martin
SB1454	Homeowners' Right to Display Flags	Gruters

8:30AM Senate Governmental Oversight & Accountability

SB620	Ethics Requirements for Officers and Employees of Special Tax Districts	DiCeglie
SB696	Local Officials	Ingoglia
SB998	Chiefs of Police	Burgess
SB1086	Rights of Law Enforcement Officers	Gruters

11:00AM Senate Rules

SB1332	Missing Persons	Martin

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THATS ALL FOR WEEK 4

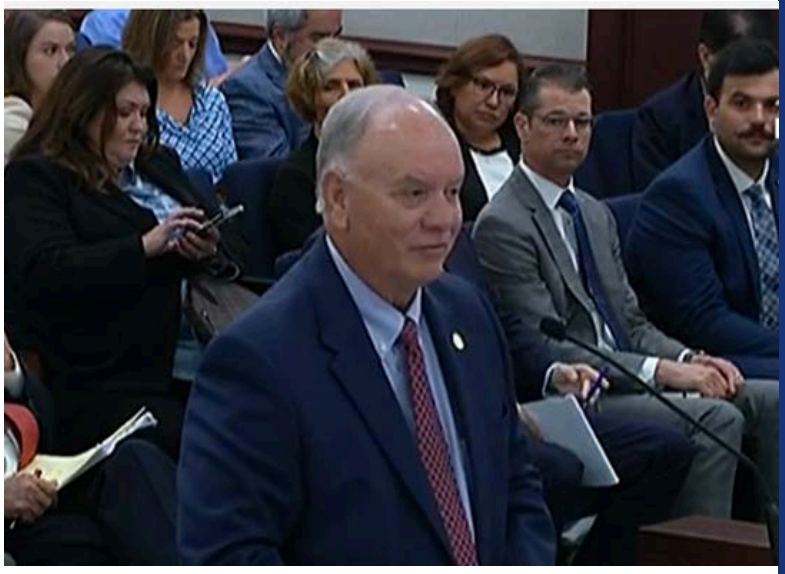
Week 5 Updates

April 3-7

The Fraternal Order Of Police Legislative team moved forward on 4 pieces of legislation this week and are gearing up for budget negotiations that we expect to begin next week. This week FOP President Steve Zona was joined by District 7 Director Jeff Stinson , Clay County Lodge 104 President Howard Fryer and Lodge 104 2nd VP Andrew Ford and though it was only a 2 day legislative week, they were still able to move the FOP legislative agenda forward.

FRS RETIREMENT 30 YRS TO 25 YRS

Foremost on everyone's mind is the potential changes to FRS and how that would be implemented. We need to first get the Senate President to follow the leadership of the House of Representatives and then we can better contemplate how the changes would be implemented. There have been several questions that have come up, but the most frequently asked involves how the 3% cola would be implemented. The answer to that question is that as written it currently is prospective with no intention to be retrospective. To simplify the issue, if the legislation is accepted by the Senate, then everyone who retires or has retired will move to a 3% cola. For those that retired before implementation , they would receive 3% moving forward but would not have t cover them at 3% retroactively. This week House Bill 239 was brought up for 2nd reading and third reading on the House floor, on it's third reading the House took Senate Bill 7024 up from messages and amended it with HB 239 language and sent it back to the Senate in messages. This is the formal action needed and taken for deliberation in budget negotiations. If you are following the legislation, HB 239 is now SB 7024 . Senator Ed Hooper brought up Senate Bill 224, which is the 30 to 25 retirement legislation and it passed out of the Senate Community Affairs Committee and now moves on to Senate Fiscal Policy.



Senator Hooper (2 time FOP Legislator of the Year) presenting Senate Bill 224 (FRS)

Pictured: Reps Demi Cabrera Busatta and Prime Co Sponsor Casello on house floor. Final passage of FRD legislation out of the house and sent to the senate. Unanimous vote of the House of Representatives

While the Speaker of the House has passed legislation out of the house that returns the FRS to 25 years, returns the COLA, extends the drop & increases the drop accrual, we all have to remember the Senate must agree to make the same changes. The unprecedented coalition of public safety unions and public safety management will continue to work hard to get it across the finish line

FDLE UPDATES

The Budget/ FDLE Raises/ FRS : We are currently headed into what is known as budget negotiations in the legislative process. Each agency and the Governor submit what is known as an LBR (Legislative Budget Request) and each legislator submits individual member projects. After all of these are gathered each chamber compiles a budget of their priorities and pass the budgets out of committee and off the floor of each chamber. These bills never historically match and since Florida requires a balanced budget, each chamber will place these temporary bills into a position for them to be negotiated and then brought forward. The Fraternal Order Of Police have hired two prominent political figures to work on the negotiated issues of the men and women of FDLE. The current budgets are in the general government silos and the break down of each item is in a mysterious part of the budget known as “back of the bill”. The only time that you will see back of the bill language is during negotiations, when they are trying to match up the budgets on each side. We are currently in the very beginning stages of negotiations and do not have allocations or budget conferees. This will begin happening next week and the FOP legislative team looks forward to working with former Senator Rob Bradley and former Representative Travis Cummings of the Oak Strategies firm to bring in the negotiated raises for the members of FDLE.

FUNERAL/BEREAVEMENT BENEFITS

Senate Bill 364 Death/Bereavement Benefits by Senator Avila was heard in Senate Criminal Justice and was voted out in a 5-0 vote. The bill will now go to Senate Fiscal Policy. The House companion bill House Bill 535 by Representative Botana is on the 2nd reading calendar and we are working to have the bill brought up on Special Order and hopefully brought upon the floor next week.

HOMEOWNERS' RIGHT TO DISPLAY FLAGS

Senate Bill 1454 by Gruters is legislation that will keep HOA's from banning thin blue line flags on the homes of Florida's citizens. The bill passed Senate Community Affairs with an 8-0 vote, and is now in the Senate Rules committee.The companion bill is House Bill 437 by Representative Buchanan and has one remaining committee, that is House Judiciary.

LAW ENFORCEMENT OFFICER'S RIGHTS

Senate Bill 1086 Law Enforcement Officer's Rights by Senator Gruters was Tp'd in Senate Criminal Justice and the house companion bill House Bill 927 by Alvarez was Tp'd in House Criminal Justice. The bill is not expected to move any further this session and all parties involved will be working on the issue after the session.

POLICE CHIEFS

Another bill of interest that is starting to move through the legislative process is Senate Bill 998 Police Chiefs by Senator Burgess, which gives due process to a police chief. The bill prohibits arbitrary termination of a police chief without the chief being provided written notice and opportunity to present a defense to the termination at a public meeting or hearing and provides two means for extending the time for an employing agency to cure a violation of procedural requirements. These two items are by written agreement of both parties or by notice of a public meeting or hearing. The senate bill passed the Senate Governmental Affairs Committee and now moves to Senate Rules. The house companion bill House Bill 935 by Representative Jacques is awaiting a hearing in the House Judiciary Committee.

HALO

The ACLU continues to oppose Senate Bill 1126 House Bill 1539 which is the HALO legislation that gives a safety bubble to first responders to better allow them to do their jobs in heightened situations. The bill was amended to a 14 foot buffer in the Senate Community Affairs Committee and the bill will now move forward to the Senate Rules Committee. House Bill 1539 is awaiting a hearing in House Judiciary.

ANIMALS WORKING WITH LAW ENFORCEMENT

Senate Bill 1300 Animals working with Law Enforcement by Senator Burton passed Senate Judiciary on an 11-0 vote and now moves to Senate Rules. The House Companion bill House Bill 1047 by Representative Killebrew is awaiting a hearing in House Justice Appropriations committee. This legislation increases the penalty for violations of s. 843.19(3), F.S., from a first degree misdemeanor to a third degree felony for any person who actually and intentionally maliciously touches, strikes, or causes bodily harm to a police canine, fire canine, SAR canine, or police horse.The penalty for a person who intentionally or knowingly maliciously harasses, teases, interferes with, or attempts to interfere with a police canine, fire canine, SAR canine, or police horse while the animal is in the performance of its duties, a violation of s. 843.19(4), F.S., is increased from a second degree misdemeanor to a first degree misdemeanor. Additionally, the bill revises s. 843.01, F.S., the "Resisting with Violence" statute, and includes a police canine or police horse working at the direction of or in tandem with an officer or an authorized person, as among those who may be the victim of the crime of "Resisting with Violence."

PERMITLESS CARRY

The Governor signed the Permitless Carry bill in to law. The bill in it's final form included several provisions relating to school safety. Specifically, it implements recommendations of the Marjory Stoneman Douglas High School Public Safety Commission to require DOE to implement new behavioral threat management operational processes, a threat assessment instrument, and a threat management portal and to update the membership and responsibilities of school district and charter school threat assessment teams, and rename such teams threat management teams to align with new threat management processes. The bill authorizes private schools to implement safe-school officers programs and requires DOE to adopt emergency rules establishing which School Environmental Safety Incident Reporting incidents require referral to law enforcement.

The legislation also removes the requirement for a permit to carry a concealed weapon. It does not change who is eligible to carry a concealed weapon. The bill solely removes the requirement that someone must have the permit to carry concealed and anyone wishing to have reciprocity to carry across state lines , will still need to have a CWL

BRADY LIST

House Bill 95 by Representative Duggan is a top priority for law enforcement, as it adds due process to the use of a Brady List/ Brady Identification. This legislation adds this issue to the bill of rights and is now being supported by the Florida Prosecutors Association and the Florida Police Chiefs Association. HB 95 was placed on the House 2nd reading calendar this week and is now available for floor action in the House of Representatives. Senate Bill 618 by Senator Yarborough was heard in the Senate Criminal Justice committee is awaiting a hearing in the Senate Appropriation Committee on Criminal and Civil Justice. The next committee hearing is on 4/12 and we have every assurance that Senator Jennifer Bradley will place bill on the agenda for hearing.

FRS RETIREMENT 30 YRS TO 25 YRS

House Bill 239 by Representative Demi Busatta-Cabrera changes the retirement years of service from 30 years to 25 years, returns the COLA, increases DROP percentages and fixes the gap of drop eligibility for this change. The legislation was made into a Committee Substitute and the negotiations between the Speaker and the Senate President will begin. This issue will become part of budget negotiations and we must continue to work on the members of the Senate. The bill passed all of it's house committees and was voted on in the House. The House brought up Senate Bill 7024 and replaced it's senate language with the language from HB 239 and was sent back to Senate in messages to prepare for budget conference. The Senate companion bill is Senate Bill 224 by Senator Ed Hooper passed the Senate Community Affairs Committee.

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FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. The legislation passed it's final committee in the House and passed the House State Affairs Committee 16-0 and will now be available for floor action. Senate Bill 364 by Senator Avila passed Senate Criminal Justice Committee and now moves to Senate Fiscal Policy.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill now awaits a hearing in it's final committee in House Appropriations on Infrastructure Strategies, which is scheduled to meet on 4/10. Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie, and we are currently awaiting a hearing in Senate Transportation Appropriations, which is scheduled for a hearing on 4/12.

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Week 6 Updates

April 10-14

The Fraternal Order Of Police Legislative team worked on the FDLE/Bereavement Benefit legislation this week, passing it out of Senate Fiscal policy and it is now poised for passage in the Senate. The House companion bill did pass the House of Representatives this week and is now poised for final passage..

This week FOP Lodge 20 President Felix Del Rosario was in Tallahassee to help maneuver our legislation through the legislative process.

BRADY LIST

House Bill 95 by Representative Duggan has passed the House of Representatives and is currently in messages to the senate. a top priority for law enforcement , as it adds due process to the use of a Brady List/ Brady Identification. Senate Bill 618 by Senator Yarborough has passed the Senate Appropriation Committee on Criminal and Civil Justice and is awaiting a hearing in Senate Fiscal Policy. The next meeting of Senate Fiscal Policy is on 4/20 and the deadline for Chairman Hutson to place it on the agenda is 4/17 at 2:30pm.

FRS RETIREMENT 30 YRS TO 25 YRS

Currently the legislation to follow is Senate Bill 7024 and is part of budget negotiations, We expect that the budget conferee and allocations will be announced this week and negotiations to begin next weekend. It now becomes a waiting game and following the budget for any changes or announcements.

FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. The legislation has passed the House of Representatives and is messages to the Senate. Senate Bill 364 by Senator Avila passed Senate Fiscal Policy and now is on 2nd reading calendar. Once placed on special order the bill will be merged with the house bill and sent to the Governor.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill now awaits a hearing in its final committee in House Appropriations on Infrastructure Strategies. House Bill 893 has been incorporated into House Bill 21, which is on second reading calendar and waits placement on a special order calendar. Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie , and we are currently awaiting a hearing in Senate Fiscal Policy.

This Week

MONDAY APRIL 17, 2023

2:00PM House Commerece Committee

HB591	Social Media Protection for Minors	Rayner- Goolsby
HB1307	Department of Agriculture and Consumer Services	McClure
HB487	Department of Financial Services	Salzman

2:00PM House Infrastructure Strategies Committee

HB741	Enforcement of School Bus Passing Infractions	Michael
HB1279	Department of Agriculture and Consumer Services	Alvarez

TUESDAY APRIL 18, 2023

10:00AM House Session. - Special Orders

HB97	Domestic Violence	Cassel
SB130	Domestic Violence	Berman

4:00PM Senate Session

Special orders as determined by the Committee on Rules and Calendar

SB7020	OGSRMobile Suspicious Activity Reporting Tool	Education Pre-K - 12
SB7022	OGSR/Marjory Stoneman Douglas High School Public Safety Commission/Safe-school Officers	Education Pre-K - 12
SB302	Government and Corporate Activism	Grall
HB3	Government and Corporate Activism	Rommel
SB1342	Capital Sexual Battery	Martin
HB1297	Capital Sexual Battery	Baker
HB829	Operation and Administration of the Baker Act	Silvers

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WEDNESDAY APRIL 19, 2023

8:30AM Senate Rules

SB620	Ethics Requirements for Officers and Employees of Special Task	DiCeglie
SB696	Local Officials	Ingoglia
SB786	Public Records/Special Persons Registry	Burgess
SB998	Chiefs of Police	Burgess
SB1300	Animals Working with Law Enforcement Officers	Burton
SB1454	Homeowners' Right to Display Flags	Gruters

3:30PM Senate Session

SB914	Suicide Prevention	Garcia (I)

THURSDAY APRIL 20, 2023

10:00AM House Session Special Orders

HB301	Emergency Response Mapping Data	Alvarez
HB655	Suicide Prevention	Trabulsy
HB437	Property Owners' Right to Install, Display, and Store Items	Buchanan

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Week 1 Updates

April 17- 21

The Fraternal Order Of Police Legislative team worked on preparation for the budget, FRS, The Senate Tax Package, The Brady List Legislation, and The HALO legislation. As we approach the crush of the final weeks of session, the committee meetings are running long and debate is becoming heated. This is the time period that both chambers begin to twist arms to move leadership's priories in both chambers.

There was an expectation that the House and Senate would agree upon the allocations for the budget silos and announce the budget conferees. They did not reach that point and so the anticipated budget conference will not begin this weekend, and the Senate has made the decision to not hold conference over the weekends. We are hoping that the announcements of allocations and conferees will come Monday and conference will begin on Tuesday. The two top priorities for budget will be FDLE/Pay Raises and the Florida Retirement System. We will also maintain a strong interest in the states tax package.

BRADY LIST

House Bill 95 by Representative Duggan has passed the House of Representatives and was sent in messages to the senate. This top priority for law enforcement , adds due process to the use of a Brady List/ Brady Identification.

Senate Bill 618 by Senator Yarborough has passed the Senate Fiscal Policy with a 17-0 vote. We must now push for the bill to be placed on the Senate Special Order Calendar, where it will be poised for final passage to the Governor's Office.

FRS RETIREMENT 30 YRS TO 25 YRS

Currently the legislation to follow is Senate Bill 7024 and is part of budget negotiations. The legislature is now in the negotiation phase of session and the anticipated budget conference will be a feeding frenzy of negotiated deals. The group of public safety organizations (FOP FPF, PBA, FSA, FPCA, FFCA and IUPA) have continued to work together fighting for the pension changes offered by the House of Representatives and expect that the budget conferee and allocations will be released and work beginning on Monday or Tuesday of next week. and negotiations to begin next weekend. It now becomes a waiting game and following the budget for any changes or announcements.

What is on the table for FRS negotiations?

- Restoration of the pre-2011 cost-of-living adjustment for eligible FRS Pension Plan members to 3 percent.

Revises DROP by:

- Removing age restrictive entry windows to enter DROP for all members that have met normal retirement requirements,
- Increasing the amount of time all eligible members can participate in DROP from 60 to 96 months
- Increasing the amount of interest applied to a member's accrued DROP benefit from 1.3 to 4 percent.
- Adjusts the employer contribution rates for the FRS based on the annual actuarial valuation and additional actuarial studies.
- Increases allocations for member disability coverage and line-of-duty death benefits.

This is the offer that was made by the House of Representatives and is now awaiting a counter offer from the Senate.

FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana is legislation that allows state LEOs to use their vehicles to participate in LEO funerals, with the approval of supervisors. The largest change that this legislation makes is the funeral expense benefit that is currently 1,000 dollars will be changes to 10,000 dollars. The legislation has passed the House of Representatives and was sent in messages to the Senate.

.Senate Bill 364 by Senator Avila is now on 2nd reading calendar, and we are currently pushing for the bill to be placed on Special Order Calendar.

HALO

House Bill 1539 by Representative Rizzo is legislation that creates a buffer of 20 feet for LEOs and the public. It creates a requirement that no one can impede or provoke LEOs in a 20 foot radius.The legislation has passed it's last committee of reference, House Judiciary with a 20-0 vote. As everyone within FOP is aware, this legislation was crafted/written by our very own Brother Al Palacio and has become a legislative priority for the State FOP and FOP District 6. We would also like to thank the PBA for attending the House Judiciary Committee and putting a card in to speak in support of this great legislation.

Senate Bill 1126 by Senator Avila has passed Senate Criminal Justice and Senate Community Affairs, with one final hearing left in Senate Rules.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan is a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill now awaits a hearing in its final committee in House Appropriations on Infrastructure Strategies. House Bill 893 has been incorporated into House Bill 21, which is on second reading calendar and waits placement on a special order calendar. Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie and has been placed on the agenda for Senate Fiscal Policy.

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TAX PACKAGE

The Senate Tax package Senate Bill 7062 has one section for first responders and will be part of the budget negotiations.

PROPERTY TAX RELIEF

- ·Allows disabled veterans and surviving spouses who are entitled to complete homestead exemptions to receive refunds of taxes they had to pay in the year they purchase a homestead.
- Clarifies that disabled veterans and surviving spouses may transfer their homestead exemptions to another property.
- Expands the exemption for surviving spouses of first responders killed in the line of duty to include spouses of federal law enforcement officers.
- Prohibits the levy of special assessments on agricultural lands.
- Clarifies that parsonages, burial grounds, and tombs owned by houses of worship are used for religious purposes, and are therefore exempt.
- Extends the educational property exemption to certain schools who lease property.
- Makes clarifying changes to Florida's automatic property tax refund process for properties that are damaged and become uninhabitable.

This Week

We have reached the point of session that meetings are now on 24 hour notice, so the below schedule was the only available data for next week.

MONDAY APRIL 24, 2023

1:00PM Senate Rules

SB376	Automatic Sealing of Criminal History Records and Making Confidential Related Court Records	Burgess
SB424	Time Limitations for Prosecution of Certain Sexual Offenses	Davis
SB1310	Substitution of Work Experience for Postsecondary Education Requirements	DiCeglie

This Week

TUESDAY APRIL 25, 2023

10:00AM House Session Special Orders

HB233	Next of Kin Deceased Minors	Michael
HB487	Department of Financial Services	Salzman
HB1307	Department of Agriculture and Consumer Services	McClure
HB741	Enforcement of School Bus Passing Infractions	Michael
HB1279	Department of Agriculture and Consumer Services	Alvarez
HB365	Controlled Substances	Plakon
HB37	Ethics Requirements for Public Officials	Roach
SB774	Ethics Requirements for Public Officials	Brodeur
HB131	Recall of County Officers and Commissioners	Rudman
HB199	Ethics Requirements for Officers and Employees of Special	Hunschofsky
HB935	Chiefs of Police	Jacques
HB1445	Employee Organizations Representing Public Employees	Black
SB256	Employee Organizations Representing Public Employees	Ingoglia
HB101	Homestead Exemption for First Responders	Woodson

10:00AM Senate Appropriations

SB1156	Florida Retirement System	Burton
HB1285	Florida State Guard	Giallombardo

10:00AM Senate Fiscal Policy

SB96	Transportation-related Facility Designations	DiCeglie
SB464	Interstate Safety	Perry
SB504	Expunction of Criminal History Records	Rodriguez
SB588	Enforcement of School Zone Speed Limits	Rodriguez
SB1412	Mental Health	Bradley
HB339	Education of Dependents of Deceased or Disabled Servicemembers, Prisoners of War, and Persons Missing in Action	Yarkosky

Week 8 Updates

April 24-28

The Fraternal Order Of Police Legislative team has worked with several legislators to make this a very successful session for law enforcement. We have pushed for the passage of the FOP priority issues and several issues that will have a positive impact upon the law enforcement community. We are still working on budget pay raise issues and we look forward to continued success is this complicated area of legislative session. The largest issue that makes the budget process so complicated, is that all true negotiations take place behind closed doors. The remaining priority issues are raises in the budget, The Senate Tax Package, and The HALO legislation. We are currently working on the FDLE pay raise issues and look forward continued negotiations. As we approach the crush of the final week of session we must be prepared to fight off any amendments that have a negative impact upon law enforcement and push our issues over the finish line.

This week began with the Florida Fraternal Order Of Police Law Enforcement Memorial, where the FOP was joined by several legislators to honor the fallen and their families. Senator Tom Wright, Representatives Brannan, Caruso, Trabulsy, Cross, Gossett-Siedman, Garcia, Yeager and Botana. Commissioner Richard Davison from the Commission on Offender Review joined the law enforcement dignitaries.

Photos from District 5 Director Paul Kempinski

BRADY LIST

House Bill 95 by Representative Duggan and Senate Bill 618 by Senator Yarborough have passed both the House of Representatives and The Florida Senate and is headed to the Governor's desk. was sent in messages to the senate. This top priority for law enforcement, adds due process to the use of a Brady List/ Brady Identification.

What the legislation does...

1) Clarifies that a prosecuting agency is not required to maintain a Brady identification system.

2) Requires a law enforcement officer or correctional officer's agency to forward all sustained internal affairs complaints relevant to ss. 90.608, 90.609, or 90.610, F.S., to the prosecuting agency in the circuit in which the law enforcement agency is located to assist the prosecuting agency in complying with its disclosure obligations under the Brady decision.

3) The bill amends ss. 112.532, F.S., to prohibit an employing agency from discharging, suspending, demoting, or otherwise disciplining, or threatening to discharge, suspend, demote, or otherwise discipline, a law enforcement officer or correctional officer solely as a result of a prosecuting agency determining that the officer's name and information should be included in a Brady identification system.

4) The bill does not prohibit an officer's employing agency from discharging, suspending, demoting, or taking other disciplinary action against a law enforcement officer or correctional officer based on the underlying actions of the officer which resulted in his or her inclusion in a Brady identification system, subject to the rules and procedures adopted by any applicable collective bargaining agreement.

5) The bill requires a law enforcement officer or correctional officer's employing agency to notify the officer of any sustained and finalized internal affairs complaints that are sent to a prosecuting agency.

6) Creates the right of a law enforcement officer or correctional officer to receive written notice through United States mail or electronic mail sent to the officer's current or last known employing agency, before or contemporaneously with a prosecuting agency including the name and information of an officer in a Brady identification system, unless a pending criminal case requires immediate disclosure or providing notice would jeopardize a pending investigation.

7) Creates the right of a law enforcement officer or correctional officer to request reconsideration of the prosecuting agency's decision to include the name and information of the officer in a Brady identification system and his or her right to submit documents and evidence in support of the request for reconsideration.

8) Under the bill, if, after a request for reconsideration is made by a law enforcement officer or a correctional officer, a prosecuting agency determines that the law enforcement officer or correctional officer should not be included in a Brady identification system, the prosecuting agency must:

- Remove such officer's name from the Brady identification system;
- Send written notice of such decision by United States mail or electronic mail to the officer's current or last known employing agency confirming that the officer's name has been removed from the Brady identification system; and

9) If a law enforcement officer or correctional officer's name was previously included in a Brady identification system and his or her name was disclosed in a pending criminal case, notify all parties to the pending criminal case of the officer's removal from the Brady identification system. If a prosecuting agency fails to comply with the provisions in the bill, a law enforcement officer or correctional officer may petition the court for a writ of mandamus to compel the prosecuting agency to follow the procedures provided in the bill. The bill limits a court's scope of review in a mandamus proceeding to determining whether the prosecuting agency acted in accordance with the procedural requirements relating to an officer's inclusion in a Brady identification system and prohibits a court from reviewing the evidence or merits of an officer's inclusion in a Brady identification system. The bill does not limit a law enforcement officer or correctional officer from pursuing any other available administrative or judicial remedy.

The bill specifies the requirements created do not:
1)Require a prosecuting agency to give notice to or provide an opportunity for review and input from a law enforcement or correctional officer if the information in a Brady identification system is:

- A criminal conviction which may be used for impeachment under s. 90.610, F.S.; or
- A sustained and finalized internal affairs complaint which may be used for impeachment under ss. 90.608, 90.609, or 90.610, F.S.
- Limit the duty of a prosecuting agency to produce Brady evidence in all cases as required by the United States Constitution, the State Constitution, the Florida Rules of Criminal Procedure, and relevant case law;
- Limit or restrict a prosecuting agency's ability to remove the name and information of a law enforcement officer or correctional officer from a Brady identification system if, at any time, the prosecuting agency determines that the name and information of the officer is no longer proper for inclusion on the list; or
- Create a private cause of action against a prosecuting agency or any employee of a prosecuting agency.

The bill provides an effective date of July 1, 2023.

FRS RETIREMENT 30 YRS TO 25 YRS

Currently the legislation to follow is Senate Bill 7024 and is part of budget negotiations. The legislature is now in the negotiation phase of session and the anticipated budget conference will be a feeding frenzy of negotiated deals. The group of public safety organizations (FOP, FPF, PBA, FSA, FPCA, FFCA and IUPA) have continued to work together fighting for the pension changes offered by the House of Representatives. Currently, the sticking point for the FRS changes is the Florida Senate. Senator Ed Hooper fought hard for first responders, and they are done negotiating the FRS legislation.

What is the final outcome for FRS ?

Revises DROP by:

- Removing age restrictive entry windows to enter DROP for all members that have met normal retirement requirements,
- Increasing the amount of time all eligible members can participate in DROP from 60 to 96 months
- Increasing the amount of interest applied to a member's accrued DROP benefit from 1.3 to 4 percent.
- Changes the required years of service from 30 years to 25 years.

The Senate failed to agree to the return of COLA. This is a major victory for First Responders and the Fraternal Order of Police are very grateful to Speaker of the House Paul Renner for all of his hard work and generosity to First Responders and their families.

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FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana and Senate Bill 364 by Senator Avila has passed the House of Representatives and the Florida Senate. The bill now awaits action by the Governor.

What the bill does.....
1)The bill names the bill the "Respecting their Sacrifice Act.

2) The bill authorizes the head of a law enforcement agency to grant up to eight hours of administrative leave to a law enforcement officer in order for the officer to attend a funeral service within Florida of another officer who was killed in the line of duty.

3) The agency head may deny the use of administrative leave for such purpose in order to maintain minimum or adequate staffing requirements.

4) The bill also permits the head of a law enforcement agency to authorize travel expenses for a law enforcement officer to attend a funeral service within Florida of another officer who was killed in the line of duty.

5) The bill permits a state employed law enforcement officer to use the officer's state vehicle to attend a funeral service within Florida of another officer killed in the line of duty if authorized by the agency head.

6) The bill increases the amount that must be paid towards the funeral or burial expenses of a law enforcement, correctional, or correctional probation officer who was employed full time by a state agency and killed in the line of duty while performing law enforcement duties or as a result of an assault against the officer under riot conditions from $1,000 to $10,000.

HALO

House Bill 1539 by Representative Rizzo and Senate Bill 1126 by Senator Avila have been heard in all but one committee of reverence, and has been blocked in the Senate Rules Committee. The chair of the Rules Committee may only waive the bill out of committee and place it on the floor, if the Senate President Kathleen Passidomo acknowledges the need and waives it out of committee for floor consideration.

ROAD DESIGNATION BILL

House Bill 893 s a road designation bill honoring in-line of duty deaths of LEOs. This legislation has already passed one committee (16-0). The bill now awaits a hearing in its final committee in House Appropriations on Infrastructure Strategies. HB 893 has been incorporated House Bill 21, which is on second reading calendar and awaits placement on special order calendar. Senate Bill 606 by Senator Yarborough has been incorporated into Senate Bill 96 by Senator DiCeglie , and has been placed on the agenda for Senate Fiscal Policy. The Senate bill was substituted with House Bill 21 amended with additional designations and is in returning messages to the House of Representatives. The bill will be brought up for concurrence and action next week.

TAX PACKAGE

The Senate Tax package Senate Bill 7062 has one section for first responders and will be part of the budget negotiations. The tax package has not been finalized and we are awaiting the release of the negotiated tax package.

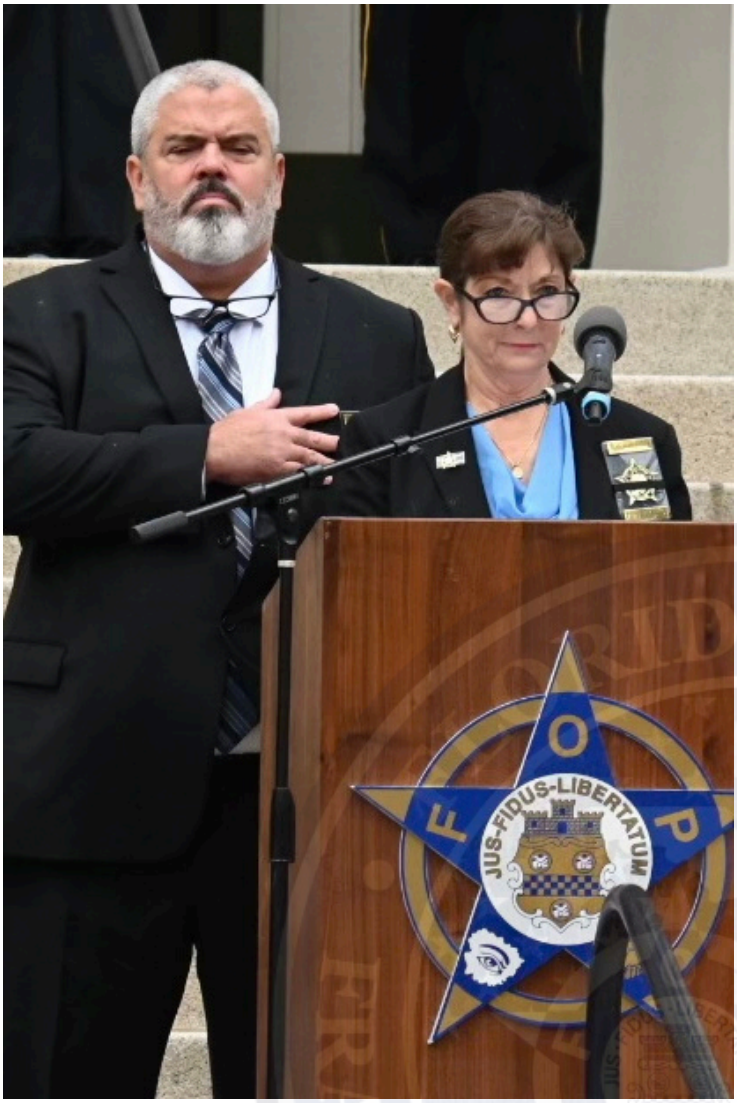
PROPERTY TAX RELIEF

- Allows disabled veterans and surviving spouses who are entitled to complete homestead exemptions to receive refunds of taxes they had to pay in the year they purchase a homestead.
- Clarifies that disabled veterans and surviving spouses may transfer their homestead exemptions to another property.
- Expands the exemption for surviving spouses of first responders killed in the line of duty to include spouses of federal law enforcement officers.
- Prohibits the levy of special assessments on agricultural lands.
- Clarifies that parsonages, burial grounds, and tombs owned by houses of worship are used for religious purposes, and are therefore exempt.
- Extends the educational property exemption to certain schools who lease property.
- Makes clarifying changes to Florida's automatic property tax refund process for properties that are damaged and become uninhabitable.

NEXT WEEK

We have reached the point in Session, where we will be busy reading amendments and doing nothing but watching floor debate. We are also still waiting on the Senate President and the Speaker of the House to finalize the budget.

41ST ANNUAL FOP MEMORIAL



Photos from District 5 Director Paul Kempinski

Honoring Those Who Made The Ultimate Sacrifice.

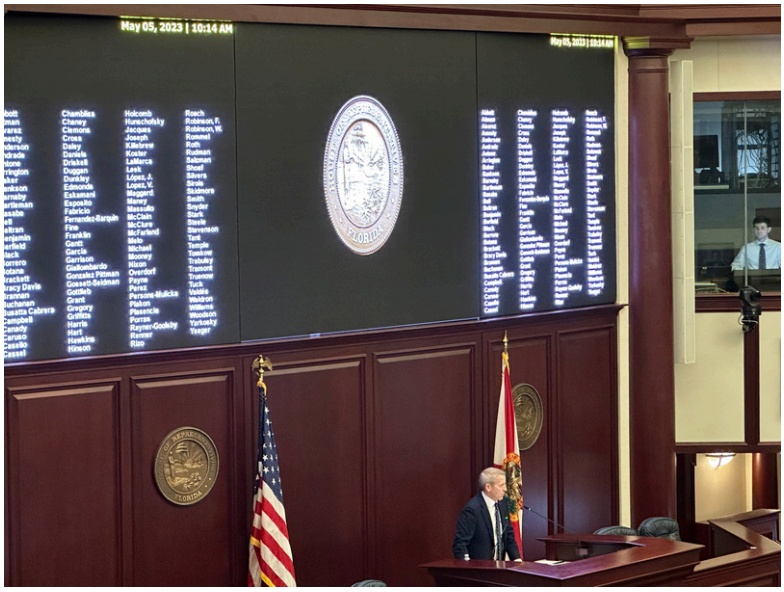
Photos from District 5 Director Paul Kempinski

Week 9 Updates

May 1-5

And with that The 2023 Session comes to an end!

The Fraternal Order Of Police Legislative team has worked and the work has paid off with a very successful 2023 Legislative Session. The only priority issue that did not pass this legislative session, was the HALO legislation and that failed due to time constraints and the bill not having been heard in its final committee in the Senate. We have pushed for the passage of the FOP priority issues and several issues that will have a positive impact upon the law enforcement community.



Speaker Paul Renner leading the last House session of the year

The Tax Package House Bill 7063 has passed both chambers and adds Florida's Federal Law Enforcement Officers to the Homestead Exemption.

President Gibson is in direct communication with FDLE leadership regarding the budget and prospective money contractual agreements regard pay raise issues. All state employees will be receiving a 5% across the board pay increase.

BRADY LIST

House Bill 95 by Representative Duggan and Senate Bill 618 by Senator Yarborough have passed both the House of Representatives and The Florida Senate and is headed to the Governor's desk. was sent in messages to the senate. This top priority for law enforcement, adds due process to the use of a Brady List/ Brady Identification.

What the legislation does...

1) Clarifies that a prosecuting agency is **NOT** required to maintain a Brady identification system.

2) Requires a law enforcement officer or correctional officer's agency to forward all **SUSTAINED** internal affairs complaints relevant to ss. 90.608, 90.609, or 90.610, F.S., to the prosecuting agency in the circuit in which the law enforcement agency is located to assist the prosecuting agency in complying with its disclosure obligations under the Brady decision.

3) The bill amends s. 112.532, F.S., to prohibit an employing agency from discharging, suspending, demoting, or otherwise disciplining, or threatening to discharge, suspend, demote, or otherwise discipline, a law enforcement officer or correctional officer solely as a result of a prosecuting agency determining that the officer's name and information should be included in a Brady identification system.

4) The bill does not prohibit an officer's employing agency from discharging, suspending, demoting, or taking other disciplinary action against a law enforcement officer or correctional officer based on the underlying actions of the officer which resulted in his or her inclusion in a Brady identification system, subject to the rules and procedures adopted by any applicable collective bargaining agreement.

5) The bill requires a law enforcement officer or correctional officer's employing agency to notify the officer of any sustained and finalized internal affairs complaints that are sent to a prosecuting agency.

6) Creates the right of a law enforcement officer or correctional officer to receive written notice through United States mail or electronic mail sent to the officer's current or last known employing agency, before or contemporaneously with a prosecuting agency including the name and information of an officer in a Brady identification system, unless a pending criminal case requires immediate disclosure or providing notice would jeopardize a pending investigation.

7) Creates the right of a law enforcement officer or correctional officer to request reconsideration of the prosecuting agency's decision to include the name and information of the officer in a Brady identification system and his or her right to submit documents and evidence in support of the request for reconsideration.

8) Under the bill, if, after a request for reconsideration is made by a law enforcement officer or a correctional officer, a prosecuting agency determines that the law enforcement officer or correctional officer should not be included in a Brady identification system, the prosecuting agency must:

- Remove such officer's name from the Brady identification system;
- Send written notice of such decision by United States mail or electronic mail to the officer's current or last known employing agency confirming that the officer's name has been removed from the Brady identification system; and

9) If a law enforcement officer or correctional officer's name was previously included in a Brady identification system and his or her name was disclosed in a pending criminal case, notify all parties to the pending criminal case of the officer's removal from the Brady identification system. If a prosecuting agency fails to comply with the provisions in the bill, a law enforcement officer or correctional officer may petition the court for a writ of mandamus to compel the prosecuting agency to follow the procedures provided in the bill. The bill limits a court's scope of review in a mandamus proceeding to determining whether the prosecuting agency acted in accordance with the procedural requirements relating to an officer's inclusion in a Brady identification system and prohibits a court from reviewing the evidence or merits of an officer's inclusion in a Brady identification system. The bill does not limit a law enforcement officer or correctional officer from pursuing any other available administrative or judicial remedy.

The bill specifies the requirements created do not:
1)Require a prosecuting agency to give notice to or provide an opportunity for review and input from a law enforcement or correctional officer if the information in a Brady identification system is:

- A criminal conviction which may be used for impeachment under s. 90.610, F.S.; or
- A sustained and finalized internal affairs complaint which may be used for impeachment under ss. 90.608, 90.609, or 90.610, F.S.
- Limit the duty of a prosecuting agency to produce Brady evidence in all cases as required by the United States Constitution, the State Constitution, the Florida Rules of Criminal Procedure, and relevant case law;
- Limit or restrict a prosecuting agency's ability to remove the name and information of a law enforcement officer or correctional officer from a Brady identification system if, at any time, the prosecuting agency determines that the name and information of the officer is no longer proper for inclusion on the list; or
- Create a private cause of action against a prosecuting agency or any employee of a prosecuting agency.

The bill provides an effective date of July 1, 2023.

FRS RETIREMENT 30 YRS TO 25 YRS

The final bill number for the FRS legislation is Senate Bill 7024. and Senator Ed Hooper, Representative Demi Busatta-Cabrera and Speaker of the House Paul Renner are the heroes of the session for the changes to FRS and it's impact on law enforcement and all members of FRS. The has passed both chambers and is headed to the Governor.

What is the final outcome for FRS ?

Revises DROP by:

- Removing age restrictive entry windows to enter DROP for all members that have met normal retirement requirements,
- Increasing the amount of time all eligible members can participate in DROP from 60 to 96 months
- Increasing the amount of interest applied to a member's accrued DROP benefit from 1.3 to 4 percent.
- Changes the required years of service from 30 years to 25 years.

Rep Duggan (3x legislator of the year) and Rep Busatta Cabrera (2023 legislator of the year)

They both never stopped fighting for our priority legislation this year. Rep Busatta Cabrera carried the FRS Pension legislation and Rep Duggan carried the Brady List legislation

The Senate failed to agree to the return of COLA. This is a major victory for First Responders and the Fraternal Order of Police are very grateful to Speaker of the House Paul Renner for all of his hard work and generosity to First Responders and their families. This legislation has passed both chambers and is headed to the Governor.

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FUNERAL/BEREAVEMENT BENEFITS

House Bill 535 by Adam Botana and Senate Bill 364 by Senator Avila has passed the House of Representatives and the Florida Senate. The bill now awaits action by the Governor.

What the bill does.....

1)The bill names the bill the "Respecting their Sacrifice Act.

2) The bill authorizes the head of a law enforcement agency to grant up to eight hours of administrative leave to a law enforcement officer in order for the officer to attend a funeral service within Florida of another officer who was killed in the line of duty.

3) The agency head may deny the use of administrative leave for such purpose in order to maintain minimum or adequate staffing requirements.

4) The bill also permits the head of a law enforcement agency to authorize travel expenses for a law enforcement officer to attend a funeral service within Florida of another officer who was killed in the line of duty.

5) The bill permits a state employed law enforcement officer to use the officer's state vehicle to attend a funeral service within Florida of another officer killed in the line of duty if authorized by the agency head.

6) The bill increases the amount that must be paid towards the funeral or burial expenses of a law enforcement, correctional, or correctional probation officer who was employed full time by a state agency and killed in the line of duty while performing law enforcement duties or as a result of an assault against the officer under riot conditions from $1,000 to $10,000.

HALO

House Bill 1539 by Representative Rizzo and Senate Bill 1126 by Senator Avila have been heard in all but one committee of reverence, and has been blocked in the Senate Rules Committee. This bill failed to be placed on the agenda in the rules committee and was not heard, making ineligible for a hearing on the Senate Floor.

ROAD DESIGNATION BILL

House Bill 893 by Representative Chuck Brannan was a road designation bill honoring in-line of duty deaths of LEOs. HB 893 has been incorporated House Bill 21, which has passed the House of Representatives and The Florida Senate and is awaiting action by the Governor. Below is the language that the FOP worked through the process.

(4) That portion of S.R. 105/Heckscher Drive between New Berlin Road East and Orahood Lane in Duval County is designated as "Officer Scott Eric Bell Highway." (5) That portion of S.R. 9A/East Beltway 295 between Gate Parkway and Baymeadows Road in Duval County is designated as "Officer Christopher Michael Kane Highway."

TAX PACKAGE

The Senate Tax package Senate Bill 7063 has one section for first responders and will be part of the budget negotiations. The tax package has not been finalized and we are awaiting the release of the negotiated tax package.

PROPERTY TAX RELIEF

- Allows disabled veterans and surviving spouses who are entitled to complete homestead exemptions to receive refunds of taxes they had to pay in the year they purchase a homestead.
- Clarifies that disabled veterans and surviving spouses may transfer their homestead exemptions to another property.
- Expands the exemption for surviving spouses of first responders killed in the line of duty to include spouses of federal law enforcement officers.
- Prohibits the levy of special assessments on agricultural lands.
- Clarifies that parsonages, burial grounds, and tombs owned by houses of worship are used for religious purposes, and are therefore exempt.
- Extends the educational property exemption to certain schools who lease property.
- Makes clarifying changes to Florida's automatic property tax refund process for properties that are damaged and become uninhabitable.

NEXT WEEK

We will be watching and awaiting action by the Governor.

PRIORITY AND SUPPORTED ISSUES THAT PASSED

HB 0021 Transportation Facility Designations by Sirois

Transportation Facility Designations: Provides honorary designations of certain transportation facilities in specified counties; directs DOT to erect suitable markers.
Effective Date: July 1, 2023

HB 0067 Protection of Specified Personnel by Gottlieb

Protection of Specified Personnel: Requires violation to be committed with specified intent; prohibits specified threats against justice, judicial assistant, clerk of court, or clerk personnel or family member of such person; prohibits specified harassment of certain personnel with intent to intimidate or coerce such person to perform or refrain from performing lawful duty.
Effective Date: October 1, 2023

HB 0095 Rights of Law Enforcement Officers and Correctional Officers by Duggan

Rights of Law Enforcement Officers and Correctional Officers: Provides rights of law enforcement officers & correctional officers relating to Brady identification systems; provides that prosecuting agency is not required to maintain such system; provides requirements for employing agency of officer; provides requirements for prosecuting agency including minimum written policies, removing officer's name under certain circumstances, & providing certain notice; authorizes officer to request reconsideration of inclusion of his or her name & information in such system; authorizes officer to petition for writ of mandamus.
Effective Date: July 1, 2023

SB 0256 Employee Organizations Representing Public Employees by Ingoglia

Employee Organizations Representing Public Employees; Requiring a public employee who desires to be a member of an employee organization to sign a membership authorization form beginning on a specified date; requiring an employee organization to revoke a public employee's membership upon receipt of his or her written request for revocation; prohibiting certain employee organizations from having dues and uniform assessments deducted and collected by the employer from certain salaries; revising requirements for applications for initial registrations and renewals of registration of employee organizations; revising prohibitions for employee organizations and certain persons and entities relating to employee organizations, etc.
Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law

PRIORITY AND SUPPORTED ISSUES THAT PASSED

HB 0437 Property Owners' Right to Install, Display, and Store Items by Buchanan

Property Owners' Right to Install, Display, and Store Items: Authorizes condominium unit owners to display certain flags on Patriot Day; authorizes homeowners to display certain number of specified flags regardless of certain prohibitions in governing documents of homeowners' association; defines "first responder flag"; prohibits homeowners' associations from restricting parcel owners & their tenants from installing, displaying, or storing items on parcels; provides exceptions; prohibits certain homeowners' association documents from precluding property owners from displaying certain number of specified flags; requires that such flags be displayed in specified manner.
Effective Date: July 1, 2023

HB 0535 Funeral Service Benefits for Public Safety Officers by Botana

Funeral Service Benefits for Public Safety Officers: Authorizes travel expenses for members of law enforcement agency for specified purpose; increases amount of money to be paid toward funeral & burial expenses of officers killed in line of duty; authorizes number of hours of administrative leave to be granted to members of law enforcement agency for specified purpose; authorizes head of law enforcement agency to deny such administrative leave; authorizes use of state motor vehicle to attend funeral within state of law enforcement officer who was killed in line of duty.
Effective Date: October 1, 2023

HB 1047 Offenses Against Certain Animals by Killebrew

Offenses Against Certain Animals: Prohibits offering or doing violence to police horse or police canine in certain circumstances; increases classification of specified criminal offenses committed against police canines, fire canines, SAR canines, or police horses.
Effective Date: October 1, 2023

HB 1121 Florida Retirement System by Bartleman

Florida Retirement System: Authorizes employers to establish volunteer programs; establishes criteria for such programs.
Effective Date: July 1, 2023

PRIORITY AND SUPPORTED ISSUES THAT PASSED

HB 1285 Florida State Guard by Giallombardo

Florida State Guard: Revises provisions relating to FSG creation & authorization; provides number of volunteer personnel; establishes Division of State Guard within DMA; provides head of division is director appointed by Governor; removes provisions establishing authority of department & Adjutant General with respect to FSG; provides additional duties of division & director; revises qualifications for FSG applicants; requires specialized unit within FSG; revises criteria for FSG activation; repeals provisions relating to Florida State Defense Force.
Effective Date: July 1, 2023

SB 1310 Substitution of Work Experience for Postsecondary Education Requirements by DiCeglie

Substitution of Work Experience for Postsecondary Education Requirements; Designating the "Expanding Public Sector Career Opportunities Act"; providing that a postsecondary degree may be a baseline requirement for employment with a public employer only under a certain circumstance; authorizing an agency to substitute certain work experience for postsecondary education requirements for a person seeking to enter into a contract with the agency under certain circumstances, etc.
Effective Date: July 1, 2023

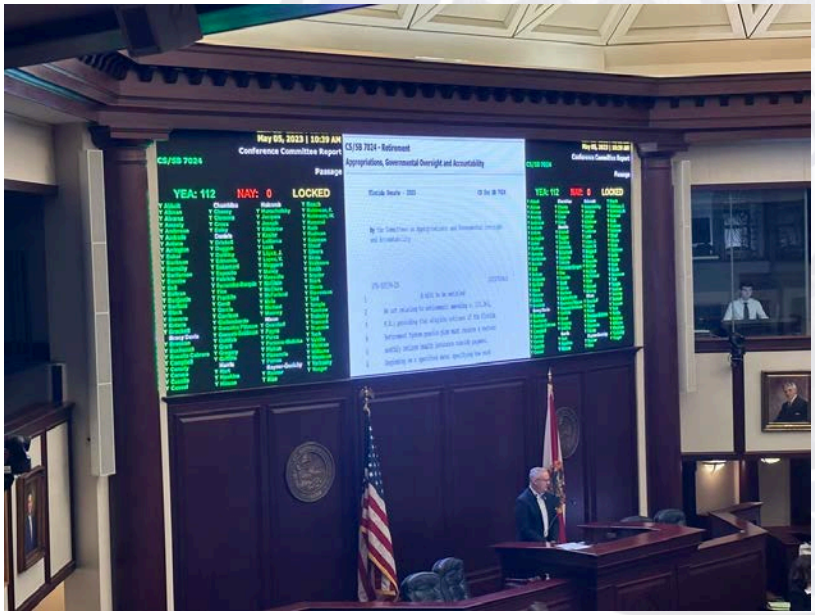
SB 7022 OGSR/Marjory Stoneman Douglas High School Public Safety Commission/ Safe-school Officers by Education Pre-K - 12

OGSR/Marjory Stoneman Douglas High School Public Safety Commission/Safe-school Officers; Amending a provision which provides an exemption from public meetings requirements for any portion of a meeting of the Marjory Stoneman Douglas High School Safety Commission at which exempt or confidential and exempt information is discussed; removing the scheduled repeal of the exemption; amending a provision relating to an exemption from public records requirements for information held by specified entities which could identify a safe-school officer; removing the scheduled repeal of the exemption, etc.
Effective Date: October 1, 2023

SB 7024 Retirement by Governmental Oversight and Accountability

Retirement; Providing that eligible retirees of the Florida Retirement System pension plan must receive a certain monthly retiree health insurance subsidy payment, beginning on a specified date; providing that eligible members of the Florida Retirement System investment plan must receive a certain monthly retiree health insurance subsidy payment; requiring the employer of members of a state-administered retirement plan to contribute a certain percentage of gross compensation each pay period, beginning on a specified date; revising the employer contribution rates for the retiree health insurance subsidy, etc.
Effective Date: July 1, 2023

AND THATS A WRAP!



Final vote for FRS passage was unanimous

Picture of vote board and Representative Busatta Cabrera

FDLE UPDATES from Lodge 186

PRESIDENT'S MESSAGE

FDLE LODGE 186 PRESIDENT SCOTT GIBSON

Members,

By now most of you have either read or heard that neither the House or Senate Appropriations Bills contained the Governor's Recommendations for FDLE and State LEO pay increases. The House version has a 6% pay increase for all state employees and the Senate version has a 3% increase for all state employees. While this is disappointing, please keep in mind that there are several weeks left and negotiations are taking place to get some of those recommendations back into the final Appropriations Bill. Please read below about the process and the information about the lobbying firm that the State Lodge has employed on behalf of our Lodge.

STATE LOBBYIST MESSAGE

FOP LOBBYIST LISA HENNING

The Budget/ FDLE Raises/ FRS : We are currently headed into what is known as budget negotiations in the legislative process. Each agency and the Governor submit what is known as an LBR (Legislative Budget Request) and each legislator submits individual member projects.

After all of these are gathered each chamber compiles a budget of their priorities and pass the budgets out of committee and off the floor of each chamber. These bills never historically match and since Florida requires a balanced budget, each chamber will place these temporary bills into a position for them to be negotiated and then brought forward.

The Fraternal Order Of Police have hired two prominent political figures to work on the negotiated issues of the men and women of FDLE. The current budgets are in the general government silos and the break down of each item is in a mysterious part of the budget known as “back of the bill”. The only time that you will see back of the bill language is during negotiations, when they are trying to match up the budgets on each side.

We are currently in the very beginning stages of negotiations and do not have allocations or budget conferees. This began happening this week and the FOP legislative team looks forward to working with former Senator Rob Bradley and former Representative Travis Cummings of the Oak Strategies firm to bring in the negotiated raises for the members of FDLE.

MEET OAK STRATEGIES

The Florida Fraternal Order of Police have hired Oak Strategies to represent the Florida Fraternal Order Of Police Labor Council. Former Representative Travis Cummings and Former Senator Rob Bradley are a dynamic and effective team, with a strong background and understanding of the appropriations process. Both former legislators not only served as Appropriations Chairmen, but also both served as Chairs of the Joint Legislative Budget Commission. Their combined political and business experience make them an unstoppable force in the legislative process.

Former House Rep Travis Cummings

Travis Cummings was in the Florida House of Representatives from 2012 - 2020 representing District 18, which includes part of Clay County. During his time in office, Travis was the chair of the House Appropriations Committee. Travis currently serves as the Vice President – Benefits at The Bailey Group, where he consults with individuals and businesses in regards to their insurance and employee benefit plans.

Former Senator Rob Bradley

Rob Bradley was in the Florida Senate from 2012 - 2020 representing District 5, which includes all of Clay, Bradford, Union, Baker, Columbia, Suwannee, Lafayette, Gilchrist, Dixie, Levy county, and part of Marion county. During his time in office, Rob was the chair of the Senate Appropriations Committee. For over 15 years, Rob has been managing partner of Bradley, Garrison & Komando P.A and is Board Certified by the Florida Bar as an Expert in City, County and Local Government Law