

**FLORIDA'S ENVIRONMENT, WATER POLICY
AND THE 2014 LEGISLATURE**

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**BILLS THAT PASSED
WATER**

Agricultural Water Policy; Dispersed Water Storage Programs (CS/HB 7091)

The bill addresses a number of issues relating to the powers and duties of the Department of Agriculture and Consumer Services (DACS). Among other things, the bill:

Allows agricultural lands participating in a dispersed water storage program to retain an agricultural classification and requires those lands to be assessed as nonproductive agricultural lands. If the land is diverted to a non-agricultural use, it must be assessed as any other non-agricultural land.

Establishes a process DACS or a water management district and a private landowner to delineate baseline wetland conditions prior to entering into an agreement for water storage and water quality improvements on the landowner's property. The baseline, not the wetlands that might exist once the water storage or water quality project is complete, will be considered the extent of wetlands and other surface waters for the purpose of regulation for the duration of the agreement and after its expiration.

The effective date of this bill was July 1, 2014; Chapter No. [2014-150](#)

Government Ethics/ Lobbying Water Management Districts (CS/CS/CS SB 846)

SB 846 subjects the governing bodies and certain officials of several quasi-governmental groups such as the Clerk of the Courts Operations Corporation, Enterprise Florida, Inc., Citizens Property Insurance Corporation, and the Florida Development Finance Corporation to Florida's Code of Ethics for public officials. The legislation also requires all elected municipal officers to take four (4) hours of ethics training annually.

Further the new law creates section 373.3261, Florida Statutes, which mandates that anyone lobbying before any of the water management districts must register as a lobbyist with the district. "Lobbies" means seeking, on behalf of another person, to influence a district with respect to a decision of the district in an area of policy or procurement or an attempt to obtain the goodwill of a district official or employee. The term "lobbies" is to be interpreted consistent with the Commission on Ethics rules implementing the executive branch lobbyist registration requirements in section 112.3215, Florida Statutes, so these rules should be consulted.

Each district is obligated to create its own forms. Alternatively, a district may use the legislative or executive branch form utilized by the State of Florida. Districts are granted rulemaking authority to establish procedures for registration, to create forms and charge annual fees for registration not to exceed \$40.00. Districts are obligated to maintain a list of lobbyists and their principals on their website. This entire requirement was generated by a single blog from an irritated blogger in Broward County who couldn't find out who was lobbying South Florida Water Management District for what.

The effective date of this bill was July 1, 2014; Chapter No. [2014-183](#)

Lower Santa Fe and Ichetucknee MFLs (HB 7171)

During the 2013 legislative session, SB 244 (Chapter 2013-299, L.O.F) passed that allowed a water management district to request DEP to set minimum flows and levels (MFLs) for water bodies that are impacted by permitting decisions in two or more water management districts. On June 11, 2013 the Suwannee River Water Management District Governing Board approved requesting that the DEP adopt the Lower Santa Fe and Ichetucknee Rivers and Priority Springs Minimum Flows and Levels, Ichetucknee River and Priority Springs Prevention Strategy, and Lower Santa Fe River and Springs Recovery Strategy. These MFLs have the potential to be affected by water withdrawals in both the Suwannee River Water Management District (SRWMD) and the St. Johns River Water Management District (SJRWMD). Adoption by the DEP would allow both water management districts to apply these MFLs and the associated regulatory strategy, resulting in a streamlined rulemaking process. During the rulemaking process, the Department's analysis estimated the projected impact of the proposed rule would exceed \$1 million in the aggregate for the five-year period. Thus the rule could not go into effect until ratified by the Legislature. The bill exempted DEP's proposed Rule 62-42.300, F.A.C., regarding minimum flows and levels (MFLs) for the Lower Santa Fe and Ichetucknee Rivers and their associated priority springs, from the legislative ratification requirement. DEP requested that an exemption from the ratification requirement to avoid a delay in providing the Lower Santa Fe and Ichetucknee Rivers and Associated Priority Springs with much needed protection.

The effective date of this bill was June 13, 2014; Chapter No. [2014-155](#)

Public Information Systems on Water Management Land (CS/CS/ HB 1161)

HB 1161 is actually an act related to outdoor advertising. However an amendment to section 373.618, Florida Statutes, is shoehorned into the legislation. (Must not violate the single subject rule or germanity, huh?).

Section 373.618 currently allows the erection of public information systems on water management district lands. The amendment requires that such systems comply with all federal laws and agreements and the Highway Beautification Act of 1965.

The effective date of this bill was July 1, 2014; Chapter [2014-215](#)

Reclaimed Water Study (CS/CS/SB 536)

This bill requires DEP to work with all stakeholders to conduct a study and submit a report on the expansion of the beneficial use of reclaimed water, stormwater and excess surface water. The report, which is due December 1, 2015 to the Governor and the Legislature, must identify factors that presently prohibit or complicate this expansion and identify measures that would lead to the efficient use of reclaimed water. In addition, the report must explore the feasibility and benefits of constructing regional storage facilities on public or private lands for reclaimed water, stormwater and excess surface water.

The effective date of this bill was July 1, 2014; Chapter No. [2013-79](#)

Water Utilities (CS/CS/CS/SB 272)

SB 372 relates to water utilities regulated by the Public Service Commission (PSC). Part I creates a process that allows customers of a regulated utility to petition the PSC to revoke the certificate of authorization of a utility under certain conditions. The petition must state with specificity each issue that customers have with the “quality of service, each time the issue was reported and how long each issue has existed.” The petition must be signed by 65% of the utility customers. Interestingly, the new statute does not define exactly what qualifies as a “quality of service issue”. I can only imagine what some inventive retirees might come up with.

If the PSC determines that the petition has merit, it may; (a) issue an order specifying the issues that must be rectified, (b) identify the necessary corrective measures the utility must take, (c) and require a schedule for correction of quality of service issues. If the utility fails to correct the issues, its certificate of authorization may be revoked.

Part II of the legislation ties PSC rate fixing for utilities to a utility meeting Department of Environmental Protection secondary water quality standards. If a utility fails to adequately resolve each water quality issue, the PSC may penalize the utility financially by reducing its rate of return on equity, denial of requested rate increases or revocation of the certificate of authorization.

The effective date of this bill was July 1, 2014; Chapter No. [2014-68](#)

BILLS THAT PASSED ENVIRONMENTAL

Bicycle/Pedestrian Ways (SB 2514)

SB 2514 authorized the Department of Transportation to utilize state funds to support the establishment of bicycle and pedestrian ways, and specifically pay the costs for the planning, land acquisition, design, and construction of multi-use trails and related facilities. The bill specifically provided that projects identified for funding must be included in the Department’s Work Program, and operated and maintained by an entity other than FDOT. It authorizes the use of moneys in the State Transportation Trust Fund to fund eligible multi-use trails and related facilities. The fiscal

impact of the proposal is unknown and is subject to FDOT programming and legislative appropriations.

The effective date of this bill was July 1, 2014; Chapter [2014-50](#)

Brownfields (CS/CS/CS/HB 325)

CS/CS/CS/HB 325 amends statutory provisions relating to the brownfield program and modifies the procedures for establishing a brownfield area. The bill also authorizes the local government designating a brownfield area to use a term other than "brownfield area" for the designated area. The bill expands the liability protection provided to any person, his or her successors and any assignees executing and implementing a successful completion of a Brownfield Site Rehabilitation Agreement. This action effectively relieves them of liability for claims of property damages, including diminished value of real property or improvements; lost or delayed rent, sale, or use of real property or improvements; or stigma to the real property or improvements caused by contamination addressed by a brownfield site rehabilitation agreement. This expanded protection applies to causes of action accruing on or after July 1, 2014, and does not apply to persons discharging contamination on the property, those committing fraud related to completion of site rehabilitation or those exacerbating the contamination of property subject to a brownfield site rehabilitation agreement in violation of applicable laws which causes property damage.

The effective date of this bill was July 1, 2014; Chapter No. [2014-114](#)

Carbon Dioxide Emissions Guidelines (CS/SM 1174)

In June of 2014, the United States Environmental Protection Agency (EPA) is scheduled to issue guidelines for establishing emission limitations for existing electric power plants pursuant to Section 111(d) of the Clean Air Act. **CS/SM 1174** is a Senate Memorial urging Congress to direct EPA to rely on state regulators to develop performance standards for carbon dioxide emissions, taking into account the unique policies, energy needs, resource mix and economic priorities of individual states. It also requests that Florida be permitted to establish less stringent performance standards or longer compliance schedules for fossil fuel electric generating units and asks for maximum flexibility to implement these new performance standards.

Coastal Management (CS/HB 7093)

HB 7093 started out as DEP's Petroleum Cleanup Program bill and picked up many other provisions at the very end of the session. One notable addition was the incorporation of HB 791 which was sponsored by Rep. Doc Renuart (R-Ponte Vedra Beach) and expands the use of general permits for minor coastal structures, dune restoration, walkovers and swimming pools at single family residences. The bill also authorizes DEP to grant certain leases, concessions and permits at the state's aquatic preserves for the purpose of promoting public use. New concession agreements for accommodations in certain state parks are prohibited if something similar already exists within 1500' of the park boundary. This restriction only applies to those parks that provide beach access and have less than 7000' of shoreline.

The bill was effective July 1, 2014; Chapter No. [2014-151](#)

Little Gasparilla Island/Docks (HB 929)

Currently, there are approximately 122 single family and private residential multi-slip/multi-family docks adjacent to Little Gasparilla Island within the Lemon Bay Aquatic Preserve. Of these, approximately 44 single family docks and 17 private residential multi-slip/multi-family docks were constructed or modified prior to March 1, 2013, without the required permits/authorizations. HB 929 establishes a process that allows for the 44 docks to receive all proper authorizations within two years after the effective day of the bill.

The effective date of this bill was June 13, 2014; Chapter No. [2014-237](#)

Petroleum Contamination CS/HB 7093

During the past two years, DEP has undertaken a deliberate review of its divisions, districts, and programs in an effort to determine the effectiveness and efficiency of each program and make improvements. As part of this review, DEP determined that the Petroleum Restoration Program must provide more fiscal accountability for its expenditures, lower the cost of site rehabilitation, and focus rehabilitation activities on those sites that pose the greatest risk to human health and the environment. HB 7093 simply repealed the former “preapproval” program that was established in 1995. At that time, the preapproval program was replacing the older reimbursement program which reimbursed site owners and responsible parties for rehabilitation services for petroleum contaminated sites that are eligible for state funding from the Inland Protection Trust Fund. The now former preapproval program required contaminated site rehabilitation to be conducted in priority order using contractors meeting certain qualifications. Tasks associated with the rehabilitation of these sites were preapproved by the department and contractors were paid using templated rates. The Department established standard operating procedures to implement the preapproval program which allowed parties responsible for the site to select the contractor to perform the site rehabilitation. The program was determined to be ineffective and inefficient and has been transitioned to cleaning up sites by competitive bid. Doing so will reduce the cost of state-funded petroleum contaminated site cleanups, and focus rehabilitation activities on those sites that pose the greatest risk to human health and the environment.

The effective date of this bill was July 1, 2014; Chapter No. [2014-151](#)

Permit Extensions (CS/HB 7023)

CS/HB 7023 covers issues predominantly related to economic development. It also continues legislation that began in 2009 to extend and renew permit extensions from previous years. The bill extends the expiration date by two years of any Environmental Resource Permit with an expiration date from January 1, 2014, through January 1, 2016, and extends local government issued development orders or building permits, including certificates of levels of service. This is in addition to any existing permit extensions, provided that the total permit extension time does not exceed a total of four years. The authorizing agency must be notified of the request for extension in writing no later than December 31, 2014.

The effective date of this bill was July 1, 2014; Chapter No. [2014-218](#)

XL Pipeline Resolution (HB 281)

This House Memorial urges the President to issue the final approval for the construction and completion of the XL Pipeline project.

Ratification of Department of Environmental Protection Rules (HB 7089)

In 2013, the bill implementing that year's General Appropriations Act, required all contracts for petroleum contamination site rehabilitation to be competitively procured. This required DEP to adopt rules for the competitive solicitation procedures. The rules were filed for adoption in December 2013. As required by s. 120.541, Florida Statutes, the Department prepared a Statement of Estimated Regulatory Costs (SERC). Two of these rules were estimated to have an economic impact in excess of \$1 million over 5 years, thus requiring legislative ratification. HB 7089 ratifies these two rules: Rule 62-772.300 establishes minimum qualifications for contactors performing petroleum contamination rehabilitation activities for the program; and Rule 62-772.400 establishes the process FDEP will utilize for competitive procurement of contractors

The effective date of this bill was June 13, 2014; Chapter No. [2014-149](#)

BILLS THAT PASSED GROWTH MANAGEMENT

Baby Hometown: Local Referenda (SB 374)

SB 374 is yet another effort to "fix" the restrictions on local initiatives and referenda. In particular, it addresses an issue in the town of Longboat Key, which prohibits the increase in density limitations in its comprehensive plan without a referendum. Currently, only those local initiatives and referenda that affect five parcels or more are allowed, and this bill eliminates the references to five parcels or more, allowing the town to hold a referendum.

The effective date of this bill was June 20, 2014; Chapter No. [2014-178](#)

Fuel Terminals (CS/CS/SB 1070)

CS/CS/SB 1070 declares that certain fuel terminals are permitted and allowable for use under any local comprehensive plan, land use map, zoning district or land development regulation.

The effective date of this bill was July 1, 2014; Chapter No. [2014-093](#)

Growth Management: Aggregation of Developments (CS/HB 7023)

CS/HB 7023 predominantly covers issues related to economic development. It also includes a provision that exempts developments that qualify for an exemption as a dense urban land area according to existing law from aggregation requirements. As a result, two or more developments qualifying for dense urban land area and not required to undergo the DRI process are prohibited from being aggregated and treated as a single development.

The effective date of this bill was July 1, 2014; Chapter No. [2014-218](#)

Subsurface Rights Disclosure (HB 489)

HB 489 requires the seller to provide the prospective purchaser with a subsurface rights disclosure summary when selling certain residential property.

The effective date of this bill was October 1, 2014; Chapter No. [2014-034](#)

Vacation Rentals (SB 356)

By way of background, because Florida is state with millions of part time residents or people who own more than one house, many single family residences are rented out whenever the owners are not in residence. Today there are more single family rental units in Florida than there are hotel rooms. On rare occasion, in some cities, renters proved to be noisy, possibly obnoxious or destructive. As a result, some local governments began to adopt ordinances that effectively prohibited vacation rentals. Three years ago, the vacation rental industry was successful in passing legislation that preempted local governments that had not adopted such ordinances from prohibiting vacation rentals based solely on classification, use or occupancy. SB 356 began life as a repeal of the three year old prohibition. However, it reached adulthood as an amendment to the classification, use or duration prohibition that prohibits local ordinances that regulates the duration or frequency of vacation rentals.

The effective date of this bill was July 1, 2014; Chapter No. [2014-071](#)

BILLS THAT PASSED: BUDGET

Budget (HB 5001)

The 2014-2015 budget passed by the Legislature includes increased funding for several of the Department's priority programs such as Florida Forever, Everglades, Total Maximum Daily Loads, Springs Protection, Beach Erosion Control, and State Parks.

\$57.5 million in funding for the Florida Forever program provides the following:

\$12.5 million for protect military installations against encroachment, water resource protection, conservation lands needed for springs protection, and partnerships where the state's interest is < 50%.

\$40 million (contingent upon proceeds from the sale of surplus non-conservation lands) is provided for projects from the approved Florida Forever list; and

\$5 million for the Rural and Family Lands Protection program

Everglades Funding:

\$32 million for the Everglades Water Quality Plan

\$67 million for the Comprehensive Everglades Restoration Plan

\$3 million for Northern Everglades

Also included is funding for:

Total Maximum Daily Loads - \$9.3 million

Springs Restoration, Protection and Restoration - \$25 million

Petroleum Tank Cleanup - \$110 million

Dry Cleaning Sites - \$6.5 million

St. Johns River Restoration - \$7 million

Hybrid Wetlands Treatment Projects - \$10.5 million

DOT - Alligator Alley Bridging (3 year work plan) - \$90 million

State Park Repairs - \$19 million

Water Projects - \$88.5 million

BILLS THAT DID NOT PASS

Chemicals of Concern (HB 991/SB 1180)

These bills would have required the Department of Health, in consultation with other state agencies, to generate a list of chemicals of high concern, predominantly those known to harm pregnant women and children or that contribute to serious diseases such as cancer. The bills provide procedures for the designation of the chemicals and authorize the Department of Health to participate in an interstate clearing house regarding the use of chemicals in consumer products.

Concurrency/Impact Fees (HB 7023)

As initially filed, this bill would have exempted certain new development from having to comply with the impact fee, concurrency or proportionate share requirements for transportation impacts. Though the bill passed, it did not contain these provisions.

Development Exactions (HB 1077/SB 1310)

The legislation would have prohibited a county, municipality or other local government from assessing a fee, charge or other development exaction that would require the construction of infrastructure or facilities unrelated to the direct impacts of the proposed development or would be more stringent than a state or federal exaction for the same impact. Local governments could impose a tax, fee or other condition to mitigate direct impacts of development in proportion to the magnitude of the impact or accept a voluntary dedication of land or an easement to mitigate direct impacts.

DRI in DULAs (HB 241/SB 372)

These bills would have revised the exemption from Development of Regional Impact (DRI) review by reducing the minimum population and density requirements for Dense Urban Land Areas (DULAs), effectively adding seven counties and 20 cities to the areas where projects are not subject to DRI review. The seven counties are Brevard, Escambia, Lee, Manatee, Pasco, Sarasota and Volusia.

Environmental Regulation (CS/ HB 703/SB 1464)

CS/HB 703/SB 1464 is legislation that proposes a potpourri of regulatory proposals that would have made obtaining certain permit and approvals in Florida somewhat more reasonable. The proposals included:

An amendment to section 163.3162, Florida Statutes, that would have prohibited a county from enforcing amendments to ordinances regulating wetlands, springs protection, or stormwater on agricultural property if the amendments were adopted after July 1, 2003.

Amending section 163.3194, Florida Statutes, prohibiting a local government from rescinding a prior land use approval because the underlying land is in a bona fide agricultural use.

Relief from permit fees for multifamily private docks.

Amending section 298.225, Florida Statutes, specifying that a water control district project included in an adopted water control plan, platted by the local general purpose government and permitted for wetlands impacts by state or federal agencies would not require an additional local government approval for wetlands impacts.

Authorizing the water management districts to issue permits for up to 50 years for dispersed water storage projects.

Authorizing the water management districts to issue permits for up to 30 years for an approved development of regional impact within a rural area of critical economic concern.

Preemption of additional water well permitting criteria to the state.

Authorization for mitigation bankers to provide insurance to cover financial responsibility requirements of the mitigation bank permit.

Simplification of regional water supply planning.

Creation of a solid waste landfill closure fund to provide for closure of landfills that were permitted by the DEP and had been abandoned if there was assurance that an insurance policy would reimburse the fund for closure costs.

Property Rights (HB 1134/SB 1314)

The legislation would have mandated a property rights element in all comprehensive plans. The element would have to consider the impact of all development orders, plan amendments, ordinances and other local government decisions on private property rights, encourage economic development, the use of alternative solutions and consideration of harm created by noncompliance with the plan provisions (presumably harm created by the local government.).

Hydraulic Fracturing Disclosure (CS/HB 71 /HB 157)

Hydraulic fracturing, commonly referred to as fracking, is the use of water, sand and chemicals injected into the ground at high pressure to blast open rock beneath the surface to release trapped oil and gas. These two bills would have directed DEP to establish an online chemical registry for fracking wells (HB 71) but allowed exemptions from public records requirements for industry trade secrets (HB 157.) Both bills only made it through one of three committee stops. Neither bill had a Senate companion bill.

Land Conservation (SB 1398)

The bill proposed to add four criteria that must be met prior to the state or any local government completing a land purchase for conservation purposes. The four criteria were:

- (1) An accurate inventory, not more than 1 year old, of government-owned property is made public;
- (2) Sufficient funds are approved in the state's (or county's or city's) annual budget for the maintenance of existing properties;
- (3) A description of the current use of existing properties and an analysis of proposed future uses of existing properties are made publicly available
- (4) An analysis describing the annual cost of restoration and maintenance of the proposed land purchase is completed and made publicly available, and funds sufficient to restore and maintain the proposed land purchase are approved and set aside.

Nature Coast Aquatic Preserve (CS/SB 1094/CS/CS/HB 1123)

This bill proposed the creation of a new aquatic preserve in the coastal regions of Pasco, Hernando and Citrus counties, called the Nature Coast Aquatic Preserve. The bill required the Board of Trustees to adopt and enforce rules related to the management and preservation of the preserve while not infringing on the riparian rights of adjacent property owners. The Senate bill made it through two committee stops, but died in Appropriations. The House Bill was on the Calendar but never came up for a vote.

Ban on the Land Application of Septage (CS/SB 1160/CS/CS/HB 1113)

Section 381.0065 Florida Statutes, contains a ban on the land application of septage that goes into effect January 1, 2016. This bill directed DEP, in coordination with the Department of Health (DOH) and other stakeholders, to study the impact of the land application of septage and to find alternative disposal options for this nutrient laden waste. Included in the report would

have been an inventory of permitted land application sites and existing treatment options, an analysis of the nutrient concentration of septage, an analysis of the rules and compliance rates that pertain to these sites and the possibility of transferring this program from DOH to DEP. The statutory ban on the land application of septage would have been extended for one year until January 1, 2017. The bill died in House messages.

Onsite Sewage Treatment and Disposal Systems (CS/CS/HB 1055/CS/SB 1306)

This bill addressed alternative sewer designs where the septic tank is connected to a central sewer system and a pump moves water from the septic tank into the sewer system. This allows the existing septic tank drainfield to stay functional as a back-up system for emergency use. Current law states that the owner of a home or business that connects directly to a central sewer system must remove the abandoned septic tank and drainfield. The bill would have clarified that, upon approval by DEP, the owner of an existing system is authorized to use all or a portion of that system, including the drainfield, as an integral part of a sanitary sewer system. The House bill died on the Second Reading calendar and the Senate bill died before making it through all referenced committees.

Springs (CS/CS/CS/SB 1576)

This bill created the “Florida Springs and Aquifer Protection Act” and directed DEP to designate Outstanding Florida Springs. In addition, the bill required the delineation of a spring protection & management zone for each of those springs, the setting of minimum flow and minimum water level standards, the implementation of recovery and prevention strategies, and the development of Basin Management Action Plans. Local governments were required to adopt fertilizer ordinances that meet or exceed the DEP’s Model Ordinance for Florida Friendly Fertilizer and the bill prohibited numerous activities in spring protection and management zones including: the disposal of wastewater residuals and septage and the permitting of new wastewater disposal facilities and hazardous waste facilities. New septic tanks on lots smaller than one acre were also prohibited in these zones. An amended version of SB 1576, with funding provisions deleted, was passed by the Senate and died in House messages.

Nevertheless, the Appropriations Bill HB 5001 contains the following provisions related to springs funding: \$5 million for Best Management Practices implementation and irrigation system efficiency conversions in freshwater springs recharge areas; \$1.7 million for implementation of total maximum daily loads (TMDLs) for springs; and \$25 million to DEP for prioritization of springs projects "to protect the quality and quantity of water that flows from springs."

State Owned Lands (HB 1433/SB 1604)

The bill required that recommendations for surplusings state-owned conservation lands be based on a scientific analysis conducted by the Florida Natural Areas Inventory and the Division of State Lands.

Water/Wastewater (HB 813/SB 1248)

Metaphorically speaking, these bills could be advertised as a Texas Lights Out wrestling match between counties and cities that provide water/waste water utility services within the unincorporated portions of a county. Had the legislation passed it would have provided:

Any municipal extension of municipal water/waste water utility service to any unincorporated portion of a county would require prior county consent.

When a municipal franchise to serve an unincorporated portion of a county expired, the county would have the option to acquire the municipality's facilities at fair market value.

PSC approval of any rate differential by a municipality between customers in the unincorporated portion of a service area and city customers. Any rate differential would be limited to no more than 25%.

Municipal utility customers in an unincorporated area could petition the PSC to review utility rates and charges and determine whether the rates are just and reasonable.

The PSC would have prior approval of any municipality's acquisition of facilities to be used to service customers in an unincorporated portion of a county.

SOME ODDS AND ENDS (MOSTLY ODDS)

Campaign Contributions

This just in. Jerry Springer (Yes, the very one) is backing Charlie Crist for Governor. Mr. Springer contributed \$10,000 to the campaign. I understand the contribution was conditioned on Crist's willingness to go on Springer's show and stage a mock "cat fight" with a Scott manikin.

Drivers License Pictures (CS/CS/HB 7005)

On a rather innocuous piece of legislation relating to drivers license pictures, an amendment was offered to allow license applicants to provide the department with "a glamour color photograph ... to be affixed to his or her driver license ... in lieu of a department-produced photographic or digital image." I thought the idea was pretty silly. However, almost all the women and quite a few of the men in our law firm thought it was a great idea.

Guns (HB 89)

HB 89 did pass and is awaiting the Governor's signature. The new law embellishes Florida's "stand your ground" law by passing "warning shot" legislation that will allow you to brandish a firearm and fire it in self defense. I would say something snarky about the legislation. But, I'm just like everyone else and fear the NRA.

Pet Eating Disorders (SB 534)

Senator Latvala filed a bill providing granting a tax exemption for pet food and medical product for problematic, pudgy pets. Empathetic probably.

Revenge Porn (SB 532)

Senator Simmons bill would have made it a second degree misdemeanor for someone to intentionally and knowingly disclose a sexually explicit image of an identifiable person to a social networking service, a website or by other electronic means in order to harass someone (If the person doesn't feel harassed, I suppose disclosure is ok.). Noble enough in this electronic age, I think. And the bill did pass the Senate. The problem seemed to be with defining an "identifiable person". The bill said that was "any identifiable part of his or her body". I can envision testimony such as "She is the only person I know that has an Australian emu tattoo on her butt."