Economic Infrastructure Subcommittee

Monday, March 31, 2025
4:00 PM – 6:00 PM
Reed Hall (102 HOB)

Daniel Perez
Speaker

Chip LaMarca
Chair

The Florida House of Representatives

Commerce Committee

Economic Infrastructure Subcommittee

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Meeting Agenda

Monday, March 31, 2025
4:00 pm – 6:00 pm
Reed Hall (102 HOB)

I. Call to Order

II. Roll Call

III. Welcome and Opening Remarks

IV. Consideration of the following bill(s):
- CS/HB 369 Provenance of Digital Content by Information Technology Budget & Policy Subcommittee, McFarland
- HB 435 Telecommunications Access System Act of 1991 by Tant
- HB 833 Rapid Rail Transit Compact by Hinson
- CS/HB 857 Assault or Battery on a Utility Worker by Criminal Justice Subcommittee, Kincart Jonsson
- CS/HB 1525 Prearranged Transportation Services by Criminal Justice Subcommittee, Busatta

V. Closing Remarks

VI. Adjournment

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 369	**COMPANION BILL:** CS/SB 702 (Burgess)
TITLE: Provenance of Digital Content	**LINKED BILLS:** None
SPONSOR(S): McFarland	**RELATED BILLS:** None

Committee References

Information Technology Budget & Policy
17 Y, 0 N, As CS
➤
Economic Infrastructure
➤
State Affairs

SUMMARY

Effect of the Bill:

The bill defines the term "provenance data" as information about the origin of digital content and the history of modifications to such content that identifies whether some or all of the content has been produced or modified by generative artificial intelligence. The bill requires artificial intelligence providers to apply provenance data to content or make a provenance application tool that enables a user to apply provenance data, either directly or through the use of third-party technology. It also requires an artificial intelligence provider to make available a free provenance reader. The bill requires social media platforms to retain all available provenance data of content uploaded to or posted on such platform and make it available in a readable format to the users of the platform. The bill provides that certain violations constitute an unfair or deceptive act.

Fiscal or Economic Impact:

The bill does not appear to have a fiscal impact on the state or local governments.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill creates a new section of law related to provenance data of digital content. The bill defines various terms, including:

- "Generative artificial intelligence" has the same meaning as in s. 106.145(1), F.S.[1]
- "Generative artificial intelligence model" means an artificial intelligence system designed to generate new data or content based on the patterns or structures of its training data. The term does not include capabilities primarily intended for classification, predictions, or labeling.
- "Generative artificial intelligence provider" means an organization that develops a generative artificial intelligence tool that is publicly available.
- "Generative artificial intelligence tool" means a product or feature that provides the outputs from a generative artificial intelligence model to end users.
- "Provenance application tool" means a tool or online service that allows users to apply provenance data.
- "Provenance data" means information about the origin of digital content and the history of modifications to such content in a format that is compliant with widely adopted guidelines or specifications promulgated by an established standard-setting body. Provenance data must indicate whether some or all of the content is synthetic content. If there is synthetic content, the provenance data must identify the name of the generative artificial intelligence provider whose generative artificial intelligence tool generated the synthetic data. Provenance data must not include any personally identifying information, unique device,

[1] Section 106.145, F.S., defines "generative artificial intelligence" as a machine-based system that can, for a given set of human-defined objectives, emulate the structure and characteristics of input data in order to generate derived synthetic content including images, videos, audio, text, and other digital content.

system, or service information that is reasonably capable of being associated with a particular user, unless directed by the user.
- "Provenance reader" means a tool or service that allows users to view the provenance data.
- "Social media platform" means an online forum, a website, or an application that allows users to upload content or view content or activity of other users. The term does not include an online service, a website, or an application the exclusive function of which is e-mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients without displaying or posting publicly to other users who are not specifically identified as the recipients.
- "Synthetic content" means any visual or audio content that has been produced or modified by a generative artificial intelligence tool. (Section 1)

The bill provides that a generative artificial intelligence provider must:
- Make available a provenance application tool that enables the user to apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content; or
- Apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content. (Section 1)

The bill requires a generative artificial intelligence provider to make available to the public for free, either directly or through the use of third-party technology, a provenance reader. (Section 1)

The bill requires a social media platform to retain all available provenance data of content uploaded to or posted on such platform, and make it available in a readable format to the users of the platform directly, through a conspicuous indicator that allows a user to access the provenance data, or both. This requirement does not apply in cases of the user's removal of the data. (Section 1)

The bill provides that a violation of the law constitutes an unfair or deceptive act or practice. (Section 1)

Effective Date

The bill provides an effective date of July 1, 2026. (Section 2)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Provenance Data

The Coalition for Content Provenance and Authenticity (C2PA), an alliance between Adobe, Arm, Intel, Microsoft, and Truepic, addresses the issues of misleading digital media through the development of technical standards for certifying the source and history of media content.[2] The source and history of such content is often known as provenance. Provenance is trustworthy and tells the user about the origins of the digital content. It may include information about who created the digital content and how, when, and where it was created or edited.[3]

Artificial Intelligence

While strictly describing or defining artificial intelligence (AI) can be difficult as the term encompasses a large field of existing and emerging technologies, methodologies, and application areas, the Congressional Research Service has recently stated that AI is "generally thought of as computerized systems that work and react in ways commonly thought to require intelligence."[4] The application of AI extends to areas such as "natural language processing, facial

[2] C2PA, *Overview*, *available at* https://c2pa.org/ (last visited March 17, 2025).
[3] C2PA, *FAQ, available at* https://c2pa.org/faq/ (last visited March 17, 2025).
[4] *Artificial Intelligence: Overview, Recent Advances, and Considerations for the 118th Congress*, Congressional Research Service, *available at* https://crsreports.congress.gov/product/pdf/R/R47644 (last visited March 7, 2025).

recognition, and robotics."[5] A subset of AI, called generative AI, a term which refers to "machine learning models developed through training on large volumes of data" for the purpose of generating new content, has undergone rapid advancement over the past few years.[6]

Social Media Platforms

The term "social media" includes "forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, videos, personal messages, and other content (such as videos)."[7] In 2005, the year Facebook started, just five percent of American adults used social media platforms. By 2023, over 80 percent use some type of social media.[8]

Florida Deceptive and Unfair Trade Practices Act

The Florida Deceptive and Unfair Trade Practices Act (FDUTPA)[9] is a consumer and business protection measure that prohibits unfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in trade or commerce.[10] For a violation of the FDUTPA, the State Attorney or the Department of Legal Affairs may bring actions when it is in the public interest on behalf of consumers or governmental entities.[11] The Office of the State Attorney may enforce the act if the violation takes place in its jurisdiction.[12] The Department of Legal Affairs has enforcement authority if the violation is multi-jurisdictional, the state attorney defers in writing, or the state attorney fails to act within 90 days after a written complaint is filed.[13] Consumers may also file suit through private actions.[14]

The Department of Legal Affairs and the State Attorney, as enforcing authorities, may seek the following remedies:

- Declaratory judgments.
- Injunctive relief.
- Actual damages on behalf of consumers and businesses.
- Cease and desist orders.
- Civil penalties of up to $10,000 per willful violation.[15]

Remedies for private parties are limited to the following:

- A declaratory judgment and an injunction where a person is aggrieved by a FDUTPA violation.
- Actual damages, attorney fees, and court costs, where a person has suffered a loss due to a FDUTPA violation.[16]

[5] *Id.*
[6] *Id.*; *See also Generative Artificial Intelligence: Overview, Issues, and Questions for Congress*, Congressional Research Service, *available at* https://crsreports.congress.gov/product/pdf/IF/IF12426 (last visited Mar. 12, 2024).
[7] Merriam-Webster, *Dictionary*, *Definition, Social Media*, https://www.merriam-webster.com/dictionary/social%20media (last visited March 7, 2025).
[8] Pew Research Center, *Americans' Social Media Use*, (Jan.31, 2024), https://www.pewresearch.org/internet/fact-sheet/social-media/ (last visited March 7, 2025).
[9] S. 501.201, F.S.
[10] *See s.* 501.202, F.S.
[11] *See* ss. 501.203(2), 501.206, and 501.207, F.S.
[12] S. 501.203(2), F.S.
[13] *Id.*
[14] S. 501.211, F.S.
[15] Ss. 501.207(1), 501.2075, and 501.208, F.S.
[16] S. 501.211(2), F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Information Technology Budget & Policy Subcommittee	17 Y, 0 N, As CS	3/19/2025	Davila	Harrington
THE CHANGES ADOPTED BY THE COMMITTEE:	• Removes provisions pertaining to disclaimers on election materials; • Removes provisions pertaining to a pilot program at the Division of Emergency Management; • Removes provisions relating to capture devices; • Amends various definitions and requirements relating to AI; • Moves the effective date of the bill to July 1, 2026.			
Economic Infrastructure Subcommittee			Keating	Bauldree
State Affairs Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

A bill to be entitled

An act relating to provenance of digital content; creating s. 501.9741, F.S.; providing definitions; requiring certain artificial intelligence providers to make provenance data available through specified options; requiring such providers to make provenance readers available in a specified manner; requiring certain social media platforms to retain and make available certain provenance data; providing applicability; providing that a violation constitutes an unfair or deceptive act or practice; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 501.9741, Florida Statutes, is created to read:

501.9741 Provenance data of digital content.—

(1) As used in this section, the term:

(a) "Generative artificial intelligence" has the same meaning as in s. 106.145(1).

(b) "Generative artificial intelligence model" means an artificial intelligence system designed to generate new data or content based on the patterns or structures of its training data. The term does not include capabilities primarily intended

for classifications, predictions, or labeling.

(c) "Generative artificial intelligence provider" means an organization that develops a generative artificial intelligence tool that is publicly available.

(d) "Generative artificial intelligence tool" means a product or feature that provides the outputs from a generative artificial intelligence model to end users.

(e) "Provenance application tool" means a tool or online service that allows users to apply provenance data.

(f) "Provenance data" means information about the origin of digital content and the history of modifications to such content in a format that is compliant with widely adopted guidelines or specifications promulgated by an established standard-setting body. Provenance data must indicate whether some or all of the content is synthetic content. If there is synthetic content, the provenance data must identify the name of the generative artificial intelligence provider whose generative artificial intelligence tool generated the synthetic data. Provenance data shall not include any personally identifying information, unique device, system, or service information that is reasonably capable of being associated with a particular user, unless directed by the user.

(g) "Provenance reader" means a tool or service that allows users to view provenance data.

(h) "Social media platform" means an online forum, a

website, or an application that allows users to upload content or view content or activity of other users. The term does not include an online service, a website, or an application the exclusive function of which is e-mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients without displaying or posting publicly to other users who are not specifically identified by the sender as the recipients.

(i) "Synthetic content" means any visual or audio content that has been produced or modified by a generative artificial intelligence tool.

(2) A generative artificial intelligence provider shall:

(a) Make available a provenance application tool that enables the user to apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content; or

(b) Apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content.

(3) A generative artificial intelligence provider shall make available to the public for free, either directly or through the use of third-party technology, a provenance reader.

(4) A social media platform must retain all available provenance data of content uploaded to or posted on such platform, and make available to the users of the platform such

provenance data in a readable format directly or through a conspicuous indicator that allows a user to access the provenance data or both. This requirement does not apply in cases of the user's removal of provenance data.

(5) A violation of this section constitutes an unfair or deceptive act or practice as specified in s. 501.204 and shall be exclusively enforced in a civil action by the Attorney General. The Department of Legal Affairs must notify the generative artificial intelligence provider or the social media platform of any suspected violation and allow the provider or platform 30 calendar days to cure the alleged violation before initiating enforcement action. This section does not create a private right of action.

Section 2. This act shall take effect July 1, 2026.

Economic Infrastructure Subcommittee
CS/HB 369
Provenance of Digital Content

AMENDMENT SUMMARY
March 31, 2025

Amendment 1 by McFarland (line 50):

- Revises the definition for “social media platform” for the purposes of the bill.
- Clarifies that a generative artificial intelligence provider subject to the requirements of the bill shall make specified information available to the public.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Economic Infrastructure Subcommittee

Representative McFarland offered the following:

Amendment

Remove lines 50-70 and insert:

(h) "Social media platform" means an online forum, website, or application for which the primary function is to allow users to upload content or view content or activity of other users. The term does not include:

1. An online service, website, or application where the exclusive function is e-mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients, without displaying or posting publicly to other users not specifically identified as the recipients by the sender; or

2. An online service, application, or website that consists primarily of news, sports, entertainment, or other information or content that is not user generated or uploaded but is preselected by the provider, and for which any chat, comments, or interactive functionality is incidental to, directly related to, or dependent on the provision of the content.

(i) "Synthetic content" means any visual or audio content that has been produced or modified by a generative artificial intelligence tool.

(2) A generative artificial intelligence provider shall:

(a) Make available a provenance application tool that enables the user to apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content; or

(b) Apply provenance data, either directly or through the use of third-party technology, to content that has been generated or modified to include synthetic content.

(3) A generative artificial intelligence provider subject to the requirements of subsection (2) shall also

HB 435

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 435	**COMPANION BILL:** CS/CS/SB 344 (Rodriguez)
TITLE: Telecommunications Access System Act of 1991	**LINKED BILLS:** None
SPONSOR(S): Tant	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Commerce

SUMMARY

Effect of the Bill:

The bill revises the Telecommunications Access System Act of 1991 (TASA) to reflect modern advances in communications technology by expanding the types of communications equipment that may be provided to persons with hearing loss or speech impairment or who are deafblind to allow these persons to access telecommunications services. Additionally, the bill:

- Establishes income qualifications for recipients of specialized communications technology;
- Revises the composition of the TASA Advisory Committee; and
- Updates terminology referencing persons with specific disabilities.

Fiscal or Economic Impact:

The bill will have a negative impact on state government expenditures by expanding authorized expenditures from the TASA reserve fund.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

Purchase and Distribution of Specialized Telecommunications Devices

The bill provides that the telecommunications access system administered under TASA must provide for the purchase and distribution of "specialized communications technology," which include:

- Mobile devices;
- Tablet computers;
- Software; and
- Other applications that can be used to provide communications services to a hearing impaired, speech impaired, or deafblind person. (Section 3).

The bill requires the Public Service Commission (PSC), in implementing TASA, to establish eligibility requirements for distribution of such technology based on income and participation in other state or federal programs based on income. To qualify for this specialized communications technology under TASA, income must be no less than double, but no more than triple, the federal poverty level. Eligibility requirements may not prohibit the administrator from providing access to specialized communications technology if such access has a de minimis value. The income eligibility requirements do not apply to specialized telecommunications devices[1] that use standard telephone lines. (Section 3).

[1] Under the bill, "specialized telecommunications device" is defined as a telecommunication device for the deaf (TDD), a volume control handset, a ring signaling device, or *any* equipment that can be used to provide access to communications services for a person with hearing loss or speech impairment or who is deafblind. Specialized telecommunications device is currently defined as equipment that is designed or used to provide *basic* access to telecommunications services. S. 427.703, F.S.

Local Exchange Telecommunications Companies
The bill deletes a provision that the PSC shall require all local exchange telecommunications companies[2] to assess and collect a five cent surcharge per access line per month. (Section 3).

Administration of the Telecommunications Access System
The bill requires the TASA administrator to license specialized telecommunications technology, and conforms the types of equipment available under TASA with the bill's earlier provisions. (Section 4).

Certification
The bill includes regional distribution center directors in the list of permissible certifiers of persons with hearing loss or speech impairment or who are deafblind. (Section 4).

TASA Advisory Committee
The bill revises the composition of the TASA Advisory Committee to specify that committee members shall include persons recommended by organizations representing the following groups:

- The deaf,
- Persons with hearing loss,
- The deafblind, persons with speech impairment,
- The elderly,
- Telecommunication relay service distribution centers, and
- Communications service providers. (Section 5).

Findings, Purpose, and Legislative Intent of TASA
The bill amends legislative findings and intent related to TASA to conform to the modernization provisions of the bill.

The bill adds that it is the intent of the legislature for TASA to provide access to new, specialized communications technology to persons with hearing loss, speech impairment, or who are deafblind. The bill also provides for access to future technologies not yet contemplated. (Section 1).

Definitions Under TASA
The bill:

- Revises the definition of "administrator" to replace its administration to the telecommunications access system, instead of administration to the telecommunications relay service system and the distribution of specialized telecommunications devices.
- Adds a definition for "commercial mobile radio service" (CMRS), which are mobile radio communications services interconnected to the public switched network available to the public or effectively available to a substantial portion of the public. CMRS do not include services that do not provide access to 911 service, communication channels suitable only for data transmission, wireless roaming services or other nonlocal radio access lines, or private telecommunications systems.
- Adds a definition for "communications service" to mean service provided to subscribers through wireline telecommunications equipment, interconnected VoIP, or CMRS.
- Revises terminology relating to persons with specific hearing or visual impairment.
- Adds a definition for "interconnected voice over Internet protocol" (interconnected VoIP) to mean a service that does all of the following:
    - Enables subscribers to have real-time, two-way voice communications.
    - Requires a broadband connection.
    - Requires equipment compatible with Internet protocol.
    - Allows subscribers to receive and place calls to the public switched telephone network.
- Adds a definition for "telecommunications access system" to mean the system administered under TASA, the administration of the telecommunications relay service system and distribution of specialized

[2] "Local exchange telecommunications company" means a telecommunications company certificated by the commission to provide telecommunications services within a specific geographic area. S. 427.703(7), F.S.

telecommunications devices and specialized communications technologies, and the rules and regulations established by the PSC.
- Revises the definition for "telecommunications device for the deaf" (TDD)[3] to expand the equipment contemplated under it. (Section 2).

The bill makes additional technical changes. (Section 6).

The effective date is July 1, 2025. (Section 7).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will have a negative impact on state government expenditures by expanding authorized expenditures from the TASA reserve fund.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Public Service Commission (PSC)

The Florida Public Service Commission (PSC) is an arm of the legislative branch of government.[4] The role of the PSC is to ensure Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.[5] In order to do so, the PSC exercises authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[6]

Telecommunications carriers in Florida are subject to only limited PSC regulation.[7] During the 2011 legislative session, the "Regulatory Reform Act" (Act) was passed and signed into law by the Governor, effective July 1, 2011.[8] Under the Act, the Legislature eliminated most of the PSC's jurisdiction over telecommunications service. However, the PSC still:
- Maintains the authority to ensure that incumbent local exchange carriers meet their obligation to provide unbundled access, interconnection, and resale to competitive local exchange companies in a nondiscriminatory manner;
- Administers the system to provide Telecommunications Relay Services pursuant to TASA; and
- Oversees the Federal Lifeline Assistance program for Florida.[9]

Telecommunications Access System Act of 1991 (TASA)

TASA was established to comply with the Federal Communications Commission (FCC) implementation of Title IV of the Americans with Disabilities Act (ADA).[10] The ADA mandated the creation of services that allow individuals with a hearing or speech disability to communicate by telephone or other telecommunications device. TASA was

[3] Currently, "telecommunications device for the deaf," or TDD, is a mechanism which is connected to a standard telephone line and used to transmit or receive signals through telephone lines. S. 427.703(14), F.S.
[4] S. 350.001, F.S.
[5] Florida Public Service Commission, *About the PSC*, https://www.psc.state.fl.us/about#MissionAndGoals (last visited Mar. 28, 2025).
[6] Florida Public Service Commission, *About the PSC*, *supra* note 5.
[7] S. 364.011, F.S.
[8] Ch. 2011-36, Laws of Florida.
[9] Florida Public Service Commission, *About the PSC*, *supra* note 5.
[10] S. 427.702, F.S.

intended to provide individuals with such disabilities a means of accessing communications services using the predominant medium at the time, the landline network. [11]

The PSC is required to oversee the administration of the statewide telecommunications access system to provide access to telecommunications relay service (relay service).[12] To fulfill its duty, the PSC selects a provider of relay service through a competitive bidding process. The current provider of relay service is T-Mobile USA, Inc.[13]

The PSC is also directed to designate an administrator of the relay service which must be a not-for-profit corporation organized for such purposes.[14] Pursuant to this requirement, the PSC in May 1991 directed Florida's local exchange telecommunications companies to form Florida Telecommunications Relay, Inc. (FTRI) to administer the distribution of the specialized telecommunications equipment and to provide outreach services.[15]

As a part of the PSC's oversight responsibilities for TASA, the PSC is required to file an annual report on the system to be available on the PSC's website. The report, prepared in consultation with FTRI, must, at a minimum, briefly outline:

- The status of developments in the telecommunications access system;
- The number of persons served, call volume, revenues, and expenditures;
- The allocation of the revenues and expenditures between provision of specialized telecommunications devices to individuals and operation of statewide relay service;
- Other major policy or operational issues; and
- Proposals for improvements or changes to the telecommunications access system.[16]

Florida Telecommunications Relay

The FTRI's relay service—branded as "Florida Relay"—provides 24-hour, 365-day per year, services to Florida residents who are deaf, hard of hearing, deaf/blind, and speech disabled to connect them to standard (i.e. voice) telephone users. The relay services provided by Florida Relay include the following: [17]

- Text telephone (TTY) and ASCII[18]: Persons who are deaf, hard-of-hearing, deaf-blind, or speech-disabled use a TTY to type their conversation to a relay operator. This operator then reads this conversation to the hearing person being called.
- Voice carry over (VCO): Persons who are deaf or hard of hearing use their voice to speak directly to the hearing person being called. When the person being called speaks back, the operator types out what is said on a TTY or text display.
- Speech to Speech (STS): This technology allows speech-disabled persons to voice their conversation. Then, a specially trained relay operator repeats that speech-disabled person's dialogue to the called party.
- Relay conference capturing (RCC): Service for persons who are deaf or hard of hearing to engage in a group conversation setting in either a video conference or conference call.
- CapTel: CapTel is a captioned telephone device that displays what the called party says using speech recognition software.[19]
- Voice: Allows standard telephone users to initiate calls to TTY users. The operator types the hearing person's spoken words to the TTY user and then reads back the replies.

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[11] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991*, pg. 1, Dec. 2024, available at https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/Telecommunication/TelecommunicationAccess/2024.pdf (last visited Mar. 28, 2025).
[12] S. 427.704, F.S.
[13] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991*, *supra* note 11, pg. 1.
[14] S. 427.704, F.S..
[15] *In re: Telecommunications Access System Act of 1991*, Docket No. 19910496-TP, Order No. 24462 (F.P.S.C. May 1, 1991).
[16] S. 427.704, F.S.
[17] Florida Telecommunications Relay, Inc., *Florida Relay*, https://www.ftri.org/relay (last visited Mar. 28, 2025).
[18] American Standard Code for Information Interchange (ASCII) is a 7-bit character code where each individual bit represents a unique character. ASCII codes are used to assist with text-based communication and computing to ensure compatibility and consistency across different systems and applications. *ASCII Table*, ASCII – Code.com, https://www.ascii-code.com/ (last visited Mar. 28, 2025).
[19] Hamilton Relay, *CapTel (Captioned Telephone),* https://hamiltonrelay.com/how-it-works/captel-captioned-telephone.html (last visited Mar. 28, 2025).

- Hearing Carry-Over (HCO): Persons who can hear, but unable to speak directly into a phone due to speech disabilities, can listen to the called party. Then, the HCO user types back a response which is then relayed, via voice, by the relay operator to the called party, who then can speak back.
- Enhanced Speech to Speech: These features provide users with the ability to set up call times, contacts, and faster call set up.

Florida Relay also provides services in Spanish and French.[20]

TASA Advisory Committee

The PSC must appoint an advisory committee to provide advice regarding the operation of telecommunications relay service in the state. The committee must be composed of no more than 10 persons and include, to the extent practicable:

- Two deaf persons recommended by the Florida Association of the Deaf.
- One hearing impaired person recommended by Self-Help for the Hard of Hearing.
- One deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities.
- One speech impaired person recommended by the Florida Language Speech and Hearing Association.
- Two representatives of telecommunications companies.
- One person with experience in providing relay services recommended by the Deaf Service Center Association.
- One person recommended by the Advocacy Center for Persons with Disabilities, Inc.
- One person recommended by the Florida League of Seniors.[21]

The committee meets twice per year in formal meetings organized and conducted by PSC staff. According to the PSC, not every organization listed to appoint individuals to the committee is still active in Florida. Currently, there are only three persons who have been appointed by the specified organizations. [22]

Funding TASA Services

TASA is funded through a monthly surcharge on basic telecommunications access lines (i.e. landlines). The surcharge is imposed on all local exchange telecommunications company subscribers by their local exchange telecommunications company as part of their regular bill and is capped at $0.25 per month, per access line, up to a total of 25 total access lines per customer.[23] The amount, subject to these statutory limitations, is set by the PSC in order to fund FTRI's operations. For the year 2024-2025, the TASA surcharge per customer line is $0.08 per month.[24]

Any funding surplus is deposited in a reserve account.[25] For the year 2024-2025, the reserve account had a balance of approximately $20 million.[26]

Recommendations from the PSC's TASA Annual Report

The PSC posted its most recent TASA annual report in December 2024 (2024 Report). The report made several recommendations regarding the TASA program. Specifically, the report states that Florida Relay "is facing a number of challenges in terms of technological changes that affects both the demand for equipment and the viability of the program's long-term funding." Furthermore, the PSC "believes that modernization of TASA is needed for the program to meet the evolving needs and preferences of consumers served by the program."

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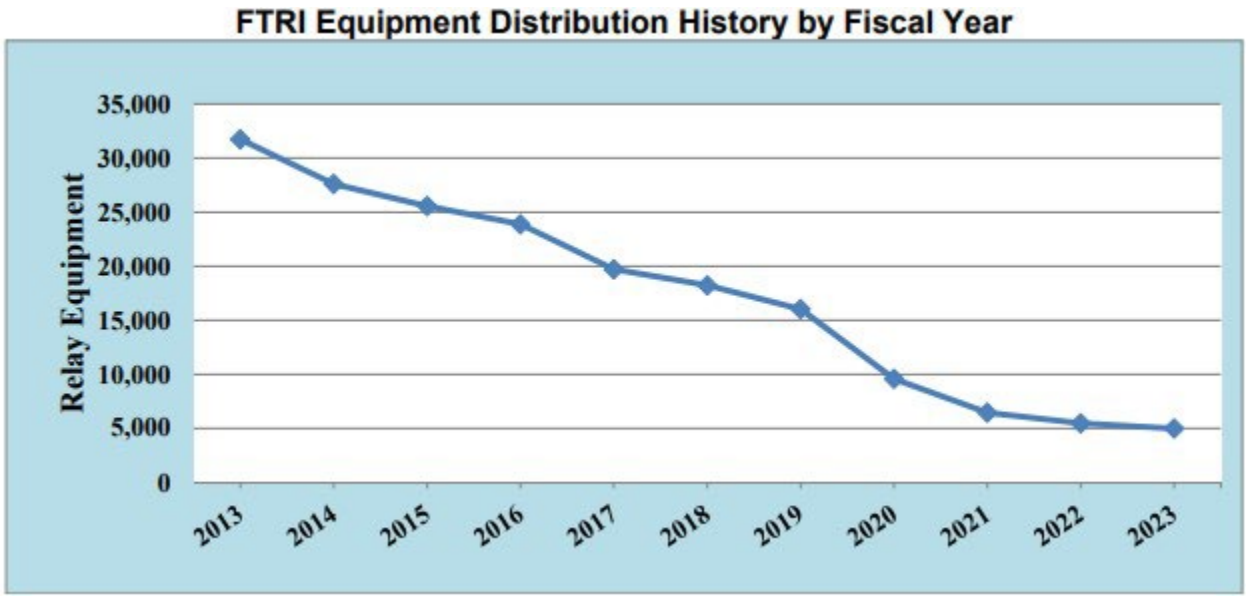
[20] Florida Telecommunications Relay, Inc., *Florida Relay, supra* note 17.
[21] S. 427.706, F.S.
[22] Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, pg. 10, Dec. 2024, available at https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/Telecommunication/TelecommunicationAccess/2024.pdf (last visited Mar. 28, 2025).
[23] Section 427.704(4)(a)-(b).
[24] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 9.
[25] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 3.
[26] *In re: Commission approval of Florida Telecommunications Relay, Inc.'s fiscal year 2024-2025 proposed budget*, Docket No. 20240056-TP, Order No. PSC-2024-0200-PAA-TP (F.P.S.C. June 20, 2024).

The 2024 Report also recommends broadening the eligibility of membership on the TASA Advisory Committee to better represent the deaf and hard of hearing community.[27]

Technology Changes

In the 2024 Report, the PSC notes that the telecommunications market and technologies have changed significantly since TASA was passed in 1991. In 2001, switched access lines[28] numbered 12,030,592 in Florida.[29] As of 2023, that number has dropped to 763,866—a decline of approximately 94 percent—and this number is expected to continue to decline.[30] The first voice-over-internet protocol (VoIP) was not released until 1995,[31] four years after TASA passed. Today, wireless and VoIP comprise the majority of the communications marketplace connecting consumers to the public switched network. However, neither of these technologies were contemplated in TASA.

The PSC also notes in its 2024 Report that participation in TASA services has continued to decline over the last decade. The chart below shows the total equipment distributed by FTRI each fiscal year from 2013 through 2023:[32]



The PSC also notes that there has been an "eighty-seven percent decline in new clients served and a seventy-seven percent decline in customer calls over the past ten years."[33]

Funding Challenges

As stated, TASA services are funded only through a surcharge on landline telecommunications. Wireless and VoIP users are not required to contribute. Thus, as fewer customers use landline telecommunications, potential revenue sources for TASA services will likely decline.

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[27] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 11.
[28] "Switched access lines" are how traditional telephones (i.e. landlines) connect to a local exchange carrier's switch. *See* Federal Communications Commission Office of Economics and Analysis, *Voice Telephone Services: Status as of June 30, 2022*, pg. 16, *available at* https://docs.fcc.gov/public/attachments/DOC-396138A1.pdf (last visited Mar. 28, 2025). A reduction in these lines indicates a reduction in landline subscribers.
[29] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991*, pg. 21, Jun. 2002, available at https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/Telecommunication/TelecommunicationIndustry/2002.pdf (last visited Mar. 28, 2025).
[30] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 11-12.
[31] Jeremy Norman's History of Information, *VocalTec Releases "Internet Phone," the First Internet VoIP Application*, https://www.historyofinformation.com/detail.php?id=1111 (last visited Mar. 28, 2025).
[32] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 4.
[33] Florida Public Service Commission, *The Status of the Telecommunications Access System Act of 1991, supra* note 11, pg. 6.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Garcia
Commerce Committee				

A bill to be entitled

An act relating to the Telecommunications Access System Act of 1991; amending s. 427.702, F.S.; revising the legislative findings, purpose, and intent of the Telecommunications Access System Act of 1991; amending s. 427.703, F.S.; defining and redefining terms; amending s. 427.704, F.S.; revising the powers and duties of the Florida Public Service Commission in overseeing the administration of the telecommunications access system; amending s. 427.705, F.S.; revising the duties of the system's administrator; revising the procedures required for the distribution of specialized telecommunications devices; requiring the administrator to assume responsibility for the distribution of specialized communications technologies; amending s. 427.706, F.S.; revising the composition of the advisory committee appointed to assist the commission with implementing the act; amending s. 427.708, F.S.; authorizing the central communications office of each county sheriff's department to purchase and continually operate at least one telecommunications device for the deaf; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present paragraphs (e) through (i) of subsection (3) of section 427.702, Florida Statutes, are redesignated as paragraphs (f) through (j), respectively, a new paragraph (e) is added to that subsection, and subsections (1) and (2) and paragraphs (a) and (d) and present paragraphs (g) and (h) of subsection (3) of that section are amended, to read:

427.702 Findings, purpose, and legislative intent.—

(1) The Legislature finds and declares that:

(a) ~~Telecommunications services provide a rapid and essential communications link among the general public and with essential offices and organizations such as police, fire, and medical facilities.~~

~~(b) All persons should have basic telecommunications services available to them at reasonable and affordable costs.~~

~~(c) A significant portion of Florida's hearing impaired and speech impaired populations has profound disabilities, including dual sensory impairments, which render normal telephone equipment useless without additional specialized telecommunications devices, many of which cost several hundred dollars.~~

~~(d) The telecommunications system is intended to provide access to a basic communications network between all persons, and that many persons who have a hearing impairment or speech impairment currently have no access to the basic~~

~~telecommunications system.~~

~~(e) Persons who do not have a hearing impairment or speech impairment are generally excluded from access to the basic telecommunications system to communicate with persons who have a hearing impairment or speech impairment without the use of specialized telecommunications devices.~~

~~(f) There exists a need for a telecommunications relay system whereby the cost for access to basic telecommunications services for persons who have a hearing impairment or speech impairment is no greater than the amount paid by other telecommunications customers.~~

~~(g)~~ The Federal Government, in order to carry out the purposes established by Title II of the Communications Act of 1934, as amended, by the enactment of the Americans with Disabilities Act, endeavored to ensure that interstate and intrastate telecommunications relay services are available, to the extent possible and in the most efficient manner, to persons with hearing loss or speech impairment ~~hearing impaired and speech impaired persons~~ in the United States.

(b) ~~(h)~~ Title IV of the Americans with Disabilities Act mandates that the telecommunications companies providing telephone services within the state shall provide telecommunications relay services on or before July 25, 1993, to persons with hearing loss or speech impairment ~~who are hearing impaired or speech impaired~~ within their certificated

territories in a manner that meets or exceeds the requirements of regulations to be prescribed by the Federal Communications Commission.

(2) ~~It is~~ The ~~declared~~ purpose of this part is to establish a system whereby the residents ~~citizens~~ of this state with hearing loss or speech impairment or who are deafblind ~~Florida who are hearing impaired, speech impaired, or dual sensory impaired~~ have access to ~~basic~~ telecommunications services at a cost no greater than that paid by other telecommunications services customers, and whereby the cost of both the specialized telecommunications equipment necessary to ensure that such residents ~~citizens who are hearing impaired, speech impaired, or dual sensory impaired~~ have such access to ~~basic~~ telecommunications services and the provision of telecommunications relay service is borne by all ~~the~~ telecommunications customers in this ~~of the~~ state.

(3) It is the intent of the Legislature:

(a) That a telecommunications access system be established to provide equitable ~~basic~~ access to the telecommunications network for persons with hearing loss or ~~who are hearing impaired,~~ speech impairment ~~impaired,~~ or who are deafblind ~~dual sensory impaired~~.

(d) That the telecommunications access system includes the distribution of specialized telecommunications devices necessary for persons with hearing loss or ~~hearing impaired,~~ speech

impairment ~~impaired,~~ or who are deafblind ~~dual sensory impaired persons~~ to access ~~basic~~ telecommunications services.

(e) That the telecommunications access system provides access to specialized communications technology capable of using existing or future devices or equipment necessary for persons with hearing loss or speech impairment or who are deafblind to access telecommunications services.

(h) ~~(g)~~ That the telecommunications access system uses state-of-the-art technology for specialized telecommunications devices, specialized communications technology, and the telecommunications relay service and encourages the incorporation of new developments in technology, to the extent that it has demonstrated benefits consistent with the intent of this act and is in the best interest of the residents ~~citizens~~ of this state.

(i) ~~(h)~~ That the value of the involvement of persons with hearing loss ~~who have hearing~~ or speech impairment, or who are deafblind ~~impairments~~, and organizations representing or serving those persons, be recognized and such persons and organizations be involved throughout the development, establishment, and implementation of the telecommunications access system through participation on the advisory committee as provided in s. 427.706.

Section 2. Present subsections (2), (3) through (6), (7), (8), and (9), (10), (11), (12), and (13) through (17) of section

427.703, Florida Statutes, are redesignated as subsections (3), (5) through (8), (10), (11), and (12), (15), (14), (16), and (18) through (22), respectively, new subsections (2), (4), (9), (13), and (17) are added to that section, and subsection (1) and present subsections (4), (6), (10), (11), (12), (14), and (16) of that section are amended, to read:

427.703 Definitions.—As used in this part:

(1) "Administrator" means a corporation not for profit incorporated pursuant to ~~the provisions of~~ chapter 617 and designated by the Florida Public Service Commission to administer the telecommunications access system ~~relay service system and the distribution of specialized telecommunications devices~~ pursuant to ~~the provisions of~~ this act and rules and regulations established by the commission.

(2) "Commercial mobile radio service" or "CMRS" means a mobile radio communications service, provided for profit, which is interconnected to the public switched network and is available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public. The term does not include services that do not provide access to 911 service, communication channels suitable only for data transmission, wireless roaming services or other nonlocal radio access line services, or private telecommunications systems.

(4) "Communications service" means a service provided to

subscribers through wireline telecommunications equipment, interconnected VoIP, or CMRS.

(6) ~~(4)~~ "Deafblind" ~~"Dual sensory impaired"~~ means having both a permanent hearing impairment and a permanent visual impairment and includes dual sensory impairment ~~deaf/blindness~~.

(8) ~~(6)~~ "Hearing loss ~~impaired~~" or "having a hearing impairment" means deaf, late-deafened, or hard of hearing ~~and, for purposes of this part, includes being dual sensory impaired~~.

(9) "Interconnected voice over Internet protocol" or "interconnected VoIP" means a service that does all of the following:

(a) Enables subscribers to have real-time, two-way voice communications.

(b) Requires a broadband connection.

(c) Requires customer equipment compatible with Internet protocol.

(d) Allows subscribers to receive calls from and place calls to the public switched telephone network. The term does not include services that do not provide access to 911 service or private telecommunications systems.

(13) "Specialized communications technology" means mobile devices, tablet computers, software, or applications that can be used to provide communications services to a hearing impaired, speech impaired, or deafblind person.

(15) ~~(10)~~ "Speech impaired" or "~~having a~~ speech impairment"

means having a permanent loss of verbal communication ability which prohibits normal usage of a standard telephone handset.

(14) ~~(11)~~ "Specialized telecommunications device" means a TDD, a volume control handset, a ring signaling device, or any ~~other customer premises telecommunications~~ equipment that can be ~~specifically designed or~~ used to provide ~~basic~~ access to communications ~~telecommunications~~ services for a person with hearing loss or speech impairment or who is deafblind ~~hearing impaired, speech impaired, or dual sensory impaired person~~.

(16) ~~(12)~~ "Surcharge" means an additional charge ~~which is to be~~ paid by local exchange telecommunications company subscribers pursuant to the cost recovery mechanism established under s. 427.704(4) in order to implement the system described herein.

(17) "Telecommunications access system" means the system administered, as defined in this section, and includes the administration of the telecommunications relay service system and the distribution of specialized telecommunications devices and specialized communications technologies pursuant to this act and rules and regulations established by the commission.

(19) ~~(14)~~ "Telecommunications device for the deaf," ~~or~~ "TDD," or "text device" means a mechanism that ~~which~~ is connected to a communications network ~~standard telephone line~~, operated by means of a keyboard, and used to transmit or receive signals through telephone lines or other communications service

facilities.

(21) ~~(16)~~ "Telecommunications relay service" means any telecommunications transmission service that allows a person with hearing loss ~~who is hearing impaired~~ or speech impairment ~~speech impaired~~ to communicate by wire or radio in a manner that is functionally equivalent to the ability of a person who does not have hearing loss or speech impairment ~~is not hearing impaired or speech impaired~~. Such term includes any service that enables two-way communication between a person who uses a telecommunications device or other nonvoice terminal device and a person who does not use such a device.

Section 3. Subsection (1), paragraph (a) of subsection (3), paragraph (a) of subsection (4), and subsections (5) through (9) of section 427.704, Florida Statutes, are amended to read:

427.704 Powers and duties of the commission.—

(1) The commission shall establish, implement, promote, and oversee the administration of a statewide telecommunications access system to provide access to telecommunications relay services by persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, or others who communicate with them. The telecommunications access system must ~~shall~~ provide for the purchase and distribution of specialized telecommunications devices, equipment, specialized communications technology, and the

establishment of a statewide single provider telecommunications relay service system that ~~which~~ operates continuously. To provide telecommunications relay services and distribute specialized telecommunication devices, equipment, and specialized communications technology to persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, at a reasonable cost the commission shall:

(a) Investigate, conduct public hearings, and solicit the advice and counsel of the advisory committee established pursuant to s. 427.706 to determine the most cost-effective method for providing telecommunications relay service and distributing specialized telecommunications devices, equipment, and specialized communications technology.

(b) Ensure that users of the telecommunications relay service system pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as duration of the call, time of day, and distance from the point of origination to the point of termination.

(c) Ensure that the telecommunications access system protects the privacy of persons to whom services are provided and that all operators maintain the confidentiality of all relay service messages.

(d) Ensure that the telecommunications relay service

system complies with regulations adopted by the Federal Communications Commission to implement Title IV of the Americans with Disabilities Act.

(e) Set eligibility requirements for the distribution of specialized communications technology based on income qualifications or participation in other state or federal programs based on income, which requirements must be set at no less than double but no more than triple the federal poverty level. Eligibility requirements may not prohibit the administrator from providing access to specialized communications technologies if such access has a de minimis value. This section does not apply to specialized telecommunications devices using standard telephone lines.

(3)(a) The commission shall select a ~~the~~ provider of ~~the~~ telecommunications relay service pursuant to procedures established by the commission. In selecting a ~~the~~ service provider, the commission shall take into consideration the cost of providing ~~the~~ relay service and the interests of the hearing loss, speech impairment, and deafblind ~~impaired and speech impaired~~ community in having access to a high-quality and technologically advanced telecommunications system. The commission shall award the contract to the bidder whose proposal is the most advantageous to the state, taking into consideration the following:

1. The appropriateness and accessibility of the proposed

telecommunications relay service for the residents ~~citizens~~ of this ~~the~~ state, including persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~.

2. The overall quality of the proposed telecommunications relay service.

3. The charges for the proposed telecommunications relay service system.

4. The ability and qualifications of the bidder to provide the proposed telecommunications relay service as outlined in the request for proposals.

5. Any proposed service enhancements and technological enhancements which improve service without significantly increasing cost.

6. Any proposed inclusion of provision of assistance to deaf persons with special needs to access the ~~basic~~ telecommunications system.

7. The ability to meet the proposed commencement date for the telecommunications relay service.

8. All other factors listed in the request for proposals.

(4)(a) The commission shall establish a mechanism to recover the costs of implementing and maintaining the services required pursuant to this part which must ~~shall~~ be applied to each ~~basic~~ telecommunications access line. In establishing the recovery mechanism, the commission shall:

1. Require all local exchange telecommunications companies to impose a monthly surcharge on all local exchange telecommunications company subscribers on an individual access line basis, except that such surcharge may ~~shall~~ not be imposed upon more than 25 ~~basic~~ telecommunications access lines per account bill rendered.

2. Require all local exchange telecommunications companies to include the surcharge as a part of the local service charge that appears on the customer's bill, except that the local exchange telecommunications company shall specify the surcharge on the initial bill to the subscriber and itemize it at least once annually.

3. Allow the local exchange telecommunications company to deduct and retain 1 percent of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the surcharge.

(5) ~~The commission shall require each local exchange telecommunications company to begin assessing and collecting the surcharge in the amount of 5 cents per access line per month on bills rendered on or after July 1, 1991, for remission to the administrator for deposit in the operational fund.~~ Each local exchange telecommunications company shall remit moneys collected to the administrator~~. On August 15, 1991, each local exchange telecommunications company shall begin remitting the moneys collected to the administrator~~ on a monthly basis and in a

manner as prescribed by the commission. The administrator shall use such moneys to administer the telecommunications access to cover costs incurred during the development of the telecommunications relay services and to establish and administer the specialized telecommunications devices system.

(6) ~~The commission shall establish a schedule for completion of specific stages of the telecommunications relay service development and implementation except that the statewide telecommunications relay service shall commence on or before June 1, 1992.~~

~~(7)~~ The commission shall require the administrator to submit financial statements for the distribution of specialized telecommunications devices and for specialized communications technology and for the telecommunications relay service to the commission quarterly, in the manner prescribed by the commission.

(7)~~(8)~~ The commission shall adopt rules and may take any other action necessary to implement ~~the provisions of~~ this act.

(8)~~(9)~~ The commission shall prepare an annual report on the operation of the telecommunications access system and~~, which~~ shall make such report ~~be~~ available on the commission's ~~Internet~~ website. Reports must be prepared in consultation with the administrator and the advisory committee appointed pursuant to s. 427.706. The reports must, at a minimum, briefly outline the status of developments in the telecommunications access system,

the number of persons served, the call volume, revenues and expenditures, the allocation of the revenues and expenditures between provision of specialized telecommunications devices and specialized communications technologies to individuals and operation of statewide relay service, other major policy or operational issues, and proposals for improvements or changes to the telecommunications access system.

Section 4. Paragraphs (a) and (c) of subsection (1), subsection (4), paragraphs (a) and (b) of subsection (5), and subsection (7) of section 427.705, Florida Statutes, are amended to read:

427.705 Administration of the telecommunications access system.—

(1) Consistent with the provisions of this act and rules and regulations established by the commission, the administrator shall:

(a) Purchase, license, store, distribute, and maintain specialized telecommunications devices, equipment, and specialized communications technology, either directly or through contract with third parties, or a combination thereof.

(c) Administer training services for recipients of specialized telecommunications devices, equipment, and specialized communications technology and for telecommunications relay service users as directed by the commission through contract with third parties.

(4) In contracting for the provision of distribution of specialized telecommunications devices, outreach services, and training of recipients, the administrator shall consider contracting with organizations that provide services to persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~.

(5) The administrator shall provide for the distribution of specialized telecommunications devices to persons qualified to receive such equipment in accordance with the provisions of this act. The administrator shall establish procedures for the distribution of specialized telecommunications devices and shall solicit the advice and counsel and consider the recommendations of the advisory committee in establishing such procedures. The procedures shall:

(a) Provide for certification of persons with hearing loss or speech impairment or who are deafblind ~~as hearing impaired, speech impaired, or dual sensory impaired~~. Such certification process must ~~shall~~ include a statement attesting to such impairment by a licensed physician, audiologist, speech-language pathologist, hearing aid specialist, ~~or~~ deaf service center director, or regional distribution center director; by a state-certified teacher of the hearing impaired; by a state-certified teacher of the visually impaired; or by an appropriate state or federal agency. The licensed physician, audiologist, speech-language pathologist, hearing aid specialist, state-certified

teacher of the hearing impaired, or state-certified teacher of the visually impaired providing statements which attest to such impairments shall work within their individual scopes of practice according to their education and training. The deaf service center directors, regional distribution center directors, and appropriate state and federal agencies shall attest to such impairments as provided for in the procedures developed by the administrator.

(b) Establish characteristics and performance standards for specialized telecommunications devices and specialized communications technologies determined to be necessary, and for the selection of equipment to be purchased for distribution to qualified recipients. The characteristics and standards must ~~shall~~ be modified as advances in equipment technology render such standards inapplicable.

(7) The administrator shall assume responsibility for distribution of specialized telecommunications devices and specialized communications technologies.

Section 5. Subsections (1) and (2) of section 427.706, Florida Statutes, are amended to read:

427.706 Advisory committee.—

(1) The commission shall appoint an advisory committee to assist the commission with implementing ~~the implementation of the provisions of~~ this part. The committee shall be composed of no more than 10 persons and shall include, to the extent

practicable, persons recommended by organizations representing~~,~~ the following groups:

(a) The ~~Two~~ deaf ~~persons recommended by the Florida Association of the Deaf~~.

(b) Persons with hearing loss ~~One hearing impaired person recommended by Self-Help for the Hard of Hearing~~.

(c) The deafblind ~~One deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities~~.

(d) Persons with speech impairment ~~One speech impaired person recommended by the Florida Language Speech and Hearing Association~~.

(e) The elderly ~~Two representatives of telecommunications companies~~.

(f) ~~One person with experience in providing~~ Telecommunication relay service distribution centers ~~services recommended by the Deaf Service Center Association~~.

(g) Communications service providers ~~One person recommended by the Advocacy Center for Persons with Disabilities, Inc~~.

~~(h) One person recommended by the Florida League of Seniors.~~

(2) The advisory committee shall provide the expertise, experience, and perspective of persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~ to the commission and to the administrator

during all phases of the development and operation of the telecommunications access system. The advisory committee shall advise the commission and the administrator on the quality and cost-effectiveness of the telecommunications relay service and the specialized telecommunications devices, equipment, and specialized communications technologies distribution system. The advisory committee may submit material for inclusion in the annual report prepared pursuant to s. 427.704.

Section 6. Subsection (1) of section 427.708, Florida Statutes, is amended to read:

427.708 Certain public safety and health care providers required to purchase and operate TDD's.—

(1) The central communications office of each county sheriff's department shall purchase and continually operate at least one telecommunications device for the deaf (TDD) ~~TDD~~.

Section 7. This act shall take effect July 1, 2025.

Economic Infrastructure Subcommittee
HB 435
Telecommunications Access System Act of 1991

AMENDMENT SUMMARY
March 31, 2025

Amendment 1 by Rep. Tant (line 124):

- Decreases the maximum surcharge that the PSC may set for local exchange telecommunication customers from $0.25 per line per month to $0.15 per line per month for purposes of funding services required by the Telecommunications Access System Act of 1991 (TASA).
- Freezes the current surcharge, set at $0.08 per line per month, until reserve funds are depleted.
- Provides definitions for previously undefined terms used in TASA.
- Deletes an unnecessary provision.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Economic Infrastructure Subcommittee

Representative Tant offered the following:

Amendment (with title amendment)

Remove lines 124-466 and insert:

Section 2. Present subsections (2), (3) and (4), (5) and (6), (7) and (8), (9), (10), (11), (12), and (13) through (17) of section 427.703, Florida Statutes, are redesignated as subsections (3), (5) and (6), (9) and (10), (12) and (13), (16), (19), (18), (20), and (22) through (26), respectively, new subsections (2), (4), (7), (8), (11), (14), (15), (17), and (21) are added to that section, and subsection (1) and present subsections (4), (6), (10), (11), (12), (14), and (16) of that section are amended, to read:

427.703 Definitions.—As used in this part:

(1) "Administrator" means a corporation not for profit incorporated pursuant to ~~the provisions of~~ chapter 617 and designated by the Florida Public Service Commission to administer the telecommunications access system ~~relay service system and the distribution of specialized telecommunications devices~~ pursuant to ~~the provisions of~~ this act and rules and regulations established by the commission.

(2) "Commercial mobile radio service" or "CMRS" means a mobile radio communications service, provided for profit, which is interconnected to the public switched network and is available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public. The term does not include services that do not provide access to 911 service, communication channels suitable only for data transmission, wireless roaming services or other nonlocal radio access line services, or private telecommunications systems.

(4) "Communications service" means a service provided to subscribers through wireline telecommunications equipment, interconnected VoIP, or CMRS.

(6)~~(4)~~ "Deafblind" ~~"Dual sensory impaired"~~ means having both a permanent hearing impairment and a permanent visual impairment and includes dual sensory impairment ~~deaf/blindness~~.

(7) "Deaf service center" means a center that serves, within a defined region, individuals with hearing loss or speech

impairment or who are deafblind, by distributing equipment and providing services on behalf of the administrator.

(8) "Deaf service center director" means an individual who serves as the director for a deaf service center and is responsible for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance with ss. 427.701-427.708, based on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.

(10) ~~(6)~~ "Hearing loss ~~impaired~~" or "having a hearing impairment" means deaf, late-deafened, or hard of hearing ~~and, for purposes of this part, includes being dual sensory impaired~~.

(11) "Interconnected voice-over-Internet protocol" or "interconnected VoIP" means a service that does all of the following:

(a) Enables subscribers to have real-time, two-way voice communications.

(b) Requires a broadband connection.

(c) Requires customer equipment compatible with Internet protocol.

(d) Allows subscribers to receive calls from and place calls to a public switched telephone network. The term does not include services that do not provide access to 911 service or private telecommunications systems.

(14) "Regional distribution center" means an entity,

including, but not limited to, a deaf service center or a provider of audiology services, which has contracted with the administrator to distribute equipment and provide services to qualified individuals with hearing loss or speech impairment or who are deafblind.

(15) "Regional distribution center director" means an individual qualified by the administrator who serves as the director for a regional distribution center and meets the standards for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance ss. 427.701-427.708 on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.

(17) "Specialized communications technology" means mobile devices, tablet computers, software, or applications that can be used to provide communications services to a hearing impaired, speech impaired, or deafblind person.

(19)~~(10)~~ "Speech impaired" or "~~having a~~ speech impairment" means having a permanent loss of verbal communication ability that ~~which~~ prohibits normal usage of a standard telephone handset.

(18)~~(11)~~ "Specialized telecommunications device" means a TDD, a volume control handset, a ring signaling device, or any ~~other customer premises telecommunications~~ equipment that can be ~~specifically designed or~~ used to provide ~~basic~~ access to

communications ~~telecommunications~~ services for a person with hearing loss or speech impairment or who is deafblind ~~hearing impaired, speech impaired, or dual sensory impaired person~~.

(20)~~(12)~~ "Surcharge" means an additional charge ~~which is to be~~ paid by local exchange telecommunications company subscribers pursuant to the cost recovery mechanism established under s. 427.704(4) in order to implement the system described herein.

(21) "Telecommunications access system" means the system administered pursuant to this section, and includes the administration of the telecommunications relay service system and the distribution of specialized telecommunications devices and specialized communications technologies pursuant to ss. 427.701-427.708 and rules and regulations established by the commission.

(23)~~(14)~~ "Telecommunications device for the deaf," ~~or~~ "TDD," or "text device" means a mechanism that ~~which~~ is connected to a communications network ~~standard telephone line~~, operated by means of a keyboard, and used to transmit or receive signals through telephone lines or other communications service facilities.

(25)~~(16)~~ "Telecommunications relay service" means any telecommunications transmission service that allows a person with hearing loss ~~who is hearing impaired~~ or speech impairment ~~speech impaired~~ to communicate by wire or radio in a manner that

is functionally equivalent to the ability of a person who does not have hearing loss or speech impairment ~~is not hearing impaired or speech impaired~~. Such term includes any service that enables two-way communication between a person who uses a telecommunications device or other nonvoice terminal device and a person who does not use such a device.

Section 3. Subsection (1), paragraph (a) of subsection (3), paragraphs (a), (b), and (e) of subsection (4), and subsections (5) through (9) of section 427.704, Florida Statutes, are amended to read:

427.704 Powers and duties of the commission.—

(1) The commission shall establish, implement, promote, and oversee the administration of a statewide telecommunications access system to provide access to telecommunications relay services by persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, or others who communicate with them. The telecommunications access system must ~~shall~~ provide for the purchase and distribution of specialized telecommunications devices, equipment, specialized communications technology, and the establishment of a statewide single provider telecommunications relay service system that ~~which~~ operates continuously. To provide telecommunications relay services and distribute specialized telecommunication devices, equipment, and specialized communications technology to persons with hearing

loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, at a reasonable cost the commission shall:

(a) Investigate, conduct public hearings, and solicit the advice and counsel of the advisory committee established pursuant to s. 427.706 to determine the most cost-effective method for providing telecommunications relay service and distributing specialized telecommunications devices, equipment, and specialized communications technology.

(b) Ensure that users of the telecommunications relay service system pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as duration of the call, time of day, and distance from the point of origination to the point of termination.

(c) Ensure that the telecommunications access system protects the privacy of persons to whom services are provided and that all operators maintain the confidentiality of all relay service messages.

(d) Ensure that the telecommunications relay service system complies with regulations adopted by the Federal Communications Commission to implement Title IV of the Americans with Disabilities Act.

(e) Set eligibility requirements for the distribution of specialized communications technology based on income

qualifications or participation in other state or federal programs based on income, which requirements must be set at no less than double but no more than triple the federal poverty level. Eligibility requirements may not prohibit the administrator from providing access to specialized communications technologies if such access has a de minimis value. This paragraph does not apply to specialized telecommunications devices using standard telephone lines.

(3)(a) The commission shall select a ~~the~~ provider of ~~the~~ telecommunications relay service pursuant to procedures established by the commission. In selecting a ~~the~~ service provider, the commission shall take into consideration the cost of providing ~~the~~ relay service and the interests of the hearing loss, speech impairment, and deafblind ~~impaired and speech impaired~~ community in having access to a high-quality and technologically advanced telecommunications system. The commission shall award the contract to the bidder whose proposal is the most advantageous to the state, taking into consideration the following:

1. The appropriateness and accessibility of the proposed telecommunications relay service for the residents ~~citizens~~ of this ~~the~~ state, including persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~.

2. The overall quality of the proposed telecommunications

relay service.

3. The charges for the proposed telecommunications relay service system.

4. The ability and qualifications of the bidder to provide the proposed telecommunications relay service as outlined in the request for proposals.

5. Any proposed service enhancements and technological enhancements which improve service without significantly increasing cost.

6. Any proposed inclusion of provision of assistance to deaf persons with special needs to access the ~~basic~~ telecommunications system.

7. The ability to meet the proposed commencement date for the telecommunications relay service.

8. All other factors listed in the request for proposals.

(4)(a) The commission shall establish a mechanism to recover the costs of implementing and maintaining the services required pursuant to this part which must ~~shall~~ be applied to each basic telecommunications access line. In establishing the recovery mechanism, the commission shall:

1. Require all local exchange telecommunications companies to impose a monthly surcharge on all local exchange telecommunications company subscribers on an individual access line basis, except that such surcharge may ~~shall~~ not be imposed upon more than 25 basic telecommunications access lines per

account bill rendered.

2. Require all local exchange telecommunications companies to include the surcharge as a part of the local service charge that appears on the customer's bill, except that the local exchange telecommunications company shall specify the surcharge on the initial bill to the subscriber and itemize it at least once annually.

3. Allow the local exchange telecommunications company to deduct and retain 1 percent of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the surcharge.

(b) The commission shall determine the amount of the surcharge based upon the amount of funding necessary to accomplish the purposes of this act and provide the services on an ongoing basis; however, in no case shall the amount exceed 15 ~~25~~ cents per line per month.

(e) From the date of implementing the surcharge, the commission shall review the amount of the surcharge at least annually and shall order changes in the amount of the surcharge as necessary to assure available funds for the provision of the telecommunications access system established herein. Where the review of the surcharge determines that excess funds are available, the commission may order the suspension of the surcharge for a period that ~~which~~ the commission deems appropriate. The commission may not increase the surcharge when

excess funds are available.

(5) ~~The commission shall require each local exchange telecommunications company to begin assessing and collecting the surcharge in the amount of 5 cents per access line per month on bills rendered on or after July 1, 1991, for remission to the administrator for deposit in the operational fund.~~ Each local exchange telecommunications company shall remit moneys collected to the administrator~~. On August 15, 1991, each local exchange telecommunications company shall begin remitting the moneys collected to the administrator~~ on a monthly basis and in a manner as prescribed by the commission. The administrator shall use such moneys to administer the telecommunications access to cover costs incurred during the development of the telecommunications relay services and to establish and administer the specialized telecommunications devices system.

(6) ~~The commission shall establish a schedule for completion of specific stages of the telecommunications relay service development and implementation except that the statewide telecommunications relay service shall commence on or before June 1, 1992.~~

~~(7)~~ The commission shall require the administrator to submit financial statements for the distribution of specialized telecommunications devices and for specialized communications technology and for the telecommunications relay service to the commission quarterly, in the manner prescribed by the

commission.

(7)~~(8)~~ The commission shall adopt rules and may take any other action necessary to implement ~~the provisions of~~ this act.

(8)~~(9)~~ The commission shall prepare an annual report on the operation of the telecommunications access system and~~, which~~ shall make such report ~~be~~ available on the commission's ~~Internet~~ website. Reports must be prepared in consultation with the administrator and the advisory committee appointed pursuant to s. 427.706. The reports must, at a minimum, briefly outline the status of developments in the telecommunications access system, the number of persons served, the call volume, revenues and expenditures, the allocation of the revenues and expenditures between provision of specialized telecommunications devices and specialized communications technologies to individuals and operation of statewide relay service, other major policy or operational issues, and proposals for improvements or changes to the telecommunications access system.

Section 4. Paragraphs (a) and (c) of subsection (1), subsection (4), paragraphs (a) and (b) of subsection (5), and subsection (7) of section 427.705, Florida Statutes, are amended to read:

427.705 Administration of the telecommunications access system.—

(1) Consistent with the provisions of this act and rules and regulations established by the commission, the administrator

shall:

(a) Purchase, license, store, distribute, and maintain specialized telecommunications devices, equipment, and specialized communications technology, either directly or through contract with third parties, or a combination thereof.

(c) Administer training services for recipients of specialized telecommunications devices, equipment, and specialized communications technology and for telecommunications relay service users as directed by the commission through contract with third parties.

(4) In contracting for the provision of distribution of specialized telecommunications devices, outreach services, and training of recipients, the administrator shall consider contracting with organizations that provide services to persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~.

(5) The administrator shall provide for the distribution of specialized telecommunications devices to persons qualified to receive such equipment in accordance with the provisions of this act. The administrator shall establish procedures for the distribution of specialized telecommunications devices and shall solicit the advice and counsel and consider the recommendations of the advisory committee in establishing such procedures. The procedures shall:

(a) Provide for certification of persons with hearing loss

or speech impairment or who are deafblind ~~as hearing impaired, speech impaired, or dual sensory impaired~~. Such certification process must ~~shall~~ include a statement attesting to such impairment by a licensed physician, audiologist, speech-language pathologist, hearing aid specialist, ~~or~~ deaf service center director, or regional distribution center director; by a state-certified teacher of the hearing impaired; by a state-certified teacher of the visually impaired; or by an appropriate state or federal agency. The licensed physician, audiologist, speech-language pathologist, hearing aid specialist, state-certified teacher of the hearing impaired, or state-certified teacher of the visually impaired providing statements which attest to such impairments shall work within their individual scopes of practice according to their education and training. The deaf service center directors, regional distribution center directors, and appropriate state and federal agencies shall attest to such impairments as provided for in the procedures developed by the administrator.

(b) Establish characteristics and performance standards for specialized telecommunications devices and specialized communications technologies determined to be necessary, and for the selection of equipment to be purchased for distribution to qualified recipients. The characteristics and standards must ~~shall~~ be modified as advances in equipment technology render such standards inapplicable.

(7) The administrator shall assume responsibility for distribution of specialized telecommunications devices and specialized communications technologies.

Section 5. Subsections (1) and (2) of section 427.706, Florida Statutes, are amended to read:

427.706 Advisory committee.—

(1) The commission shall appoint an advisory committee to assist the commission with implementing ~~the implementation of the provisions of~~ this part. The committee shall be composed of no more than 10 persons and shall include, to the extent practicable, persons recommended by organizations representing~~,~~ the following groups:

(a) The ~~Two~~ deaf ~~persons recommended by the Florida Association of the Deaf~~.

(b) Persons with hearing loss ~~One hearing impaired person recommended by Self-Help for the Hard of Hearing~~.

(c) The deafblind ~~One deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities~~.

(d) Persons with speech impairment ~~One speech impaired person recommended by the Florida Language Speech and Hearing Association~~.

(e) The elderly ~~Two representatives of telecommunications companies~~.

(f) ~~One person with experience in providing~~ Telecommunication relay service distribution centers ~~services~~

~~recommended by the Deaf Service Center Association~~.

(g) Communications service providers ~~One person recommended by the Advocacy Center for Persons with Disabilities, Inc~~.

~~(h) One person recommended by the Florida League of Seniors.~~

(2) The advisory committee shall provide the expertise, experience, and perspective of persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~ to the commission and to the administrator during all phases of the development and operation of the telecommunications access system. The advisory committee shall advise the commission and the administrator on the quality and cost-effectiveness of the telecommunications relay service and the specialized telecommunications devices, equipment, and specialized communications technologies distribution system. The advisory committee may submit material for inclusion in the annual report prepared pursuant to s. 427.704.

Section 6. This act shall take effect July 1, 2025.

T I T L E A M E N D M E N T

Remove lines 19-23 and insert:

implementing the act; providing an effective date.

HB 833

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 833	**COMPANION BILL:** SB 966 (Davis)
TITLE: Rapid Rail Transit Compact	**LINKED BILLS:** None
SPONSOR(S): Hinson, Campbell	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Commerce

SUMMARY

Effect of the Bill:

The bill authorizes the Governor to enter into a Rapid Rail Transit Compact with Alabama, Louisiana, and Mississippi.

Fiscal or Economic Impact:

None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill authorizes the Governor to enter into a Rapid Rail Transit Compact (Compact) with Alabama, Louisiana, and Mississippi. The bill establishes the following terms of the Compact: (Section 1).

- The Compact's purpose is to study the feasibility of rapid rail transit service between Alabama, Florida, Louisiana, and Mississippi and to establish a joint interstate commission to assist in this effort.
- The Compact takes effect when a state has ratified it and Congress has consented. States outside of Alabama, Florida, Louisiana, and Mississippi may become a party to the Compact if it is contiguous to another party state and the legislature of the contiguous state becoming a party approves.
- The Southern Rail Commission (SRC) is the joint agency created by the parties under the Compact. SRC's membership consists of:
  - The Governor of each party state;
  - One representative from each party state's department of transportation; and
  - Five other citizens of each party state which are appointed by the respective Governor.
- Terms of membership in the SRC and quorum meeting requirements.
- The powers of SRC include the power to:
  - Hold hearings;
  - Conduct studies and surveys of all problems, benefits, and other associated matters;
  - Make reports;
  - Acquire moneys or property from local, state, federal, or private sources for its proper functioning;
  - Cooperate with public or private groups;
  - Formulate and execute plans and policies to carry out the purpose of the Compact to the U.S. Congress; and
  - Exercise other powers as it deems appropriate.
- Each party state agrees that its legislature may expend funds for the establishment and operation of SRC. If possible, each party state's contribution must be in equal amounts. The bill also specifies that each legislature is not bound to set any appropriation of funds.
- Terms for withdrawal from SRC and authority and direction for SRC members to carry out the purpose of the Compact.

The bill has an effective date of July 1, 2025. (Section 2).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Southern Rail Commission (SRC)

Regional Rail Commissions (RRCs) are interstate compacts established by federal law that enable two or more contiguous states to jointly study and develop rail projects for their mutual, regional benefit.[1] The Southern Rail Commission (SRC) is an RRC created in 1982 to promote the safe, reliable and efficient movement of people and goods to enhance economic development within party states. It is also SRC's objective to:

- Provide transportation choices;
- Engage local decision makers;
- Facilitate emergency evacuation routes;
- Pursue funding for planning and implementation; and
- Support state departments of transportation.[2]

Current members of SRC are Louisiana, Alabama, and Mississippi. In September 2023, the efforts of SRC and the Rail Passengers Association, among others, resulted in a $178 million federal grant for the restoration of passenger rail service from New Orleans, Louisiana, to Mobile, Alabama. The funding will help build a platform for the Mobile end of the service and additional track upgrades.[3] Amtrak rail service between the two cities is anticipated to leave the station in the Summer of 2025 with two daily roundtrips.[4]

Other SRC passenger rail service projects include a route from Baton Rouge to New Orleans and a proposed I-20 Rail Corridor service that connects Dallas-Fort Worth, Northern Louisiana, and Atlanta.[5]

Florida Passenger Rail Service

In 1993, SRC successfully negotiated the extension of the "Sunset Limited" Amtrak line from Los Angeles, California, to Jacksonville, Florida.[6] Sunset Limited was extended into Florida, with major stops in Orlando and Hialeah. However, Hurricane Katrina in 2005 permanently closed the line east of New Orleans, derailing passenger rail service which has not been restored since.[7]

Economic Impact

Proponents of a Gulf Coast passenger rail service restoration claim there are many economic benefits, such as:

- Improved accessibility for more than two million residents between New Orleans and Orlando.
- Growth in tourism, the job market, health care, and higher education.
- Development of an evacuation route for Gulf Coast cities.
- Additional sales tax revenue from casino patrons, visitors, and tourists.[8]

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[1] Regional Rail Commissions, *What are RRCs?*, https://www.aawa.us/impact/current-projects/regional-rail-commissions/ (last visited Mar. 26, 2025).
[2] Southern Rail Commission, *Our Mission*, https://www.southernrailcommission.org/mission (last visited Mar. 26, 2025).
[3] Rail Passengers Association, *$178 Million in CRISI Grant Funding Awarded for Gulf Coast Rail*, https://www.railpassengers.org/happening-now/news/releases/178-million-in-crisi-grant-funding-awarded-for-gulf-coast-rail-restoration/ (last visited Mar. 27, 2025).
[4] Christian Oliver, *Train from New Orleans to Mobile starting service in summer 2025*, WGNO News (Mar. 26, 2025), https://wgno.com/news/louisiana/orleans-parish/train-from-new-orleans-to-mobile-starting-service-in-summer-2025/ (last visited Mar. 27, 2025).
[5] Southern Rail Commission, *Project Overview: I-20 Corridor*, https://www.southernrailcommission.org/i20-corridor (last visited Mar. 28, 2025).
[6] Sunset Limited became the first transcontinental rail line in American history. Southern Rail Commission, *History*, https://www.southernrailcommission.org/history (last visited Mar. 27, 2025).
[7] Amtrak Routes, *Amtrak Sunset Limited Train: Stops, Stations, Route, Schedule, & Booking Tips!*, https://amtrakroutes.com/sunset-limited-train/ (last visited Mar. 27, 2025).
[8] Southern Rail Commission, *Connecting the entire Gulf Coast with comprehensive passenger rail*, https://www.southernrailcommission.org/gulf-coast-rail (last visited Mar. 27, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Garcia
Commerce Committee				

A bill to be entitled

An act relating to a rapid rail transit compact; creating s. 351.41, F.S.; authorizing the Governor to execute a rapid rail transit compact with specified states, to join the Southern Rail Commission; providing the form of the compact; providing an effective date.

WHEREAS, North Florida has lacked passenger rail service since September 2005, when track damage from Hurricane Katrina led to the termination of Amtrak's Sunset Limited route, which ran from New Orleans to Pensacola, Tallahassee, Jacksonville, and Orlando, and

WHEREAS, the Southern Rail Commission (SRC), formed by the United States Congress in 1982, has evolved over time with a vision to "promote the safe, reliable, and efficient movement of people and goods to enhance economic development along rail corridors; provide transportation choices; and facilitate emergency evacuation routes," and

WHEREAS, the States of Alabama, Louisiana, and Mississippi are members of the SRC, and

WHEREAS, the SRC has been highly successful in collaborating with Amtrak and other partners to obtain federal funding for the restoration of passenger rail service in its member states, including $178 million in federal grant funding

in September 2023 to restore passenger rail service from New Orleans, Louisiana, to Mobile, Alabama, and

WHEREAS, the new route between New Orleans and Mobile, referred to as the "Mardi Gras service," is expected to be operational by the summer of 2025 and will run twice daily between New Orleans and Mobile, with stops in Bay St. Louis, Gulfport, Biloxi, and Pascagoula, Mississippi, and

WHEREAS, the SRC has also identified a project connecting the entire Gulf Coast with services from Baton Rouge to Orlando, called the Gulf Coast Passenger Rail route, and

WHEREAS, states such as Florida, which are contiguous to existing SRC member states, are eligible to become SRC members, and

WHEREAS, by joining the SRC, Florida can leverage the power of a multistate coalition to study, plan, and obtain federal funding for passenger rail initiatives that benefit its residents and businesses, without obligating this state to spend state funds on rail infrastructure, and

WHEREAS, passenger rail stimulates economic development by fostering tourism, attracting businesses, improving access to markets, promoting job creation, and spurring investment in local communities, and

WHEREAS, passenger rail enhances connectivity between communities, businesses, military bases, health care facilities, educational institutions, sports venues, and tourist

attractions, fostering regional cooperation and cohesion among diverse populations, and

WHEREAS, passenger rail can expand this state's capacity for emergency evacuation and disaster response during emergencies and provide another option for mobilizing emergency response personnel, particularly when roadways have reached capacity or have been damaged, and

WHEREAS, passenger rail provides an alternative mode of transportation, reducing traffic congestion on highways by alleviating the strain on existing road infrastructure, which increases safety and efficiency for all travelers, and

WHEREAS, accessible and convenient transportation options increase quality of life for residents by providing greater mobility, reducing travel times, and offering an alternative to driving, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 351.41, Florida Statutes, is created to read:

351.41 Rapid Rail Transit Compact.—The Governor, on behalf of this state, is hereby authorized to execute a compact, in substantially the following form, with the States of Alabama, Louisiana, and Mississippi, and the Legislature hereby signifies in advance its approval and ratification of such compact:

RAPID RAIL TRANSIT COMPACT

ARTICLE I

The purpose of this compact is to study the feasibility of rapid rail transit service between the states of Alabama, Florida, Louisiana, and Mississippi and to establish a joint interstate commission to assist in this effort.

ARTICLE II

This compact shall become effective immediately as to the states ratifying it whenever the states of Alabama, Florida, Louisiana, and Mississippi have ratified it and Congress has given consent thereto. Any state not mentioned in this article which is contiguous with any member state may become a party to this compact, subject to approval by the legislature of each of the member states.

ARTICLE III

The states which are parties to this compact, hereinafter referred to as party states, do hereby establish and create a joint agency which shall be known as the Southern Rail Commission, hereinafter referred to as the commission, or any successor name adopted by all members of the commission. The membership of such commission shall consist of the Governor of each party state, one representative each from the Mississippi

Energy and Transportation Board, or its successor, the Office of Aviation and Public Transportation of the Louisiana Department of Transportation and Development, or its successor, the Alabama Department of Energy, or its successor, and the Florida Department of Transportation, or its successor, and five other citizens of each party state, to be appointed by the Governor thereof. The appointed members of the commission shall serve for terms of 4 years each. Vacancies on the commission shall be filled by appointment by the Governor for the unexpired portion of the term. The members of the commission shall not be compensated for service on the commission, but each of the appointed members shall be entitled to actual and reasonable expenses incurred in attending meetings, or incurred otherwise in the performance of his or her duties as a member of the commission. The members of the commission shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice chairman from among their members, and the chairmanship shall rotate each year among the party states in order of their acceptance of this compact. The commission shall adopt rules and regulations for the transaction of its business and a record shall be kept of all its business. It shall be the duty of the commission to study the feasibility of providing interstate rapid rail transit service between the party states. Toward this end, the commission shall have power to hold hearings; to conduct studies

and surveys of all problems, benefits, and other matters associated with such service, and to make reports thereon; to acquire, by gift, grant, or otherwise, from local, state, federal, or private sources, such money or property as may be provided for the proper performance of its functions, and to hold and dispose of same; to cooperate with other public or private groups, whether local, state, regional, or national, having an interest in such service; to formulate and execute plans and policies for emphasizing the purpose of this compact before the Congress of the United States and other appropriate officers and agencies of the United States; and to exercise such other powers as may be appropriate to enable it to accomplish its functions and duties and to carry out the purposes of this compact.

ARTICLE IV

Each party state agrees that its Legislature may, in its discretion, from time to time make available and pay over to the commission funds for the establishment and operation of the commission. The contribution of each party state shall be in equal amounts, if possible, but nothing in this article shall be construed as binding the Legislature of any state to make an appropriation of a set amount of funds at any particular time.

ARTICLE V

Nothing in this compact shall be construed so as to conflict with any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state.

ARTICLE VI

(1) This compact shall continue in force and remain binding upon each party state until the Legislature or Governor of each or any state takes action to withdraw therefrom. However, any such withdrawal does not become effective until 6 months after the date of the action taken by the Legislature or Governor. Notice of such action shall be given to the other party state or states by the Secretary of State of the party state which takes such action.

(2) There is hereby granted to the Governor, to the members of the commission for Alabama, Florida, Louisiana, and Mississippi, and to the compact administrator all the powers provided for in the compact and in this section. All officers of this state are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carrying out the purpose of the compact.

Section 2. This act shall take effect July 1, 2025.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 857	**COMPANION BILL:** CS/SB 1386 (Yarborough)
TITLE: Assault or Battery on a Utility Worker	**LINKED BILLS:** None
SPONSOR(S): Kincart Jonsson	**RELATED BILLS:** None

Committee References

Criminal Justice	➤	Economic Infrastructure	➤	Judiciary
18 Y, 0 N, As CS				

SUMMARY

Effect of the Bill:

CS/HB 857 includes utility workers as a specified type of personnel for which an assault or battery offense is reclassified to the next highest penalty when such an offense is knowingly committed against a utility worker while he or she is engaged in work on critical infrastructure.

Fiscal or Economic Impact:

The bill may have a positive indeterminate impact on jail and prison beds. To the extent the bill results in penalties for more assault and battery offenses being reclassified, offenders convicted of such offenses will be subject to longer terms of incarceration.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

CS/HB 857 includes utility workers as a specified type of personnel for which an assault or battery offense is reclassified to the next highest penalty when such an offense is knowingly committed against a utility worker while he or she is engaged in work on critical infrastructure as defined in s. 812.141(1), F.S.

The bill defines "utility worker" as a person who bears at least one patch, emblem, organizational identification, or other clear marking intended to be plainly visible and that identifies the employing or contracting utility and that clearly identifies the person as a utility worker under contract with or employed by an entity that owns, operates, leases, or controls a plant, property, or facility for the generation, transmission, distribution of, or furnishing to or for the public of electricity, natural or manufactured gas or propane, water, wastewater, telephone, or communications service, including two or more utilities rendering joint service. (Section 1)

Under the bill, the reclassification of assault and battery offenses knowingly committed on a utility worker is as follows:

- In the case of an assault, from a second-degree misdemeanor to a first-degree misdemeanor.
- In the case of a battery, from a first-degree misdemeanor to a third-degree felony.
- In the case of an aggravated assault, from a third-degree felony to a second-degree felony.
- In the case of aggravated battery, from a second-degree felony to a first-degree felony. (Section 1)

The bill makes additional conforming changes. (Section 2, 3, 4, and 5)

This bill has an effective date of October 1, 2025. (Section 6)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a positive indeterminate impact on prison beds. To the extent the bill results in penalties for more assaults and battery offenses being reclassified as felony offenses, offenders convicted of such offenses will be subject to longer terms of incarceration.

LOCAL GOVERNMENT:

The bill may have a positive indeterminate impact on jail beds. To the extent the bill results in penalties for more assaults being reclassified as first degree misdemeanor offenses, offenders convicted of such offenses will be subject to longer terms of incarceration.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Reclassification of Assault and Battery Offenses

Section 784.07, F.S., reclassifies the misdemeanor or felony degree of assault[1], aggravated assault[2], battery[3], and aggravated battery[4] when a person is charged with knowingly committing any such offense upon the following specified type of personnel while engaged in the lawful performance of his or her duties:

- A law enforcement officer;
- A firefighter;
- An emergency medical care provider;
- A railroad special officer;
- A traffic accident investigation officer;
- A nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing testing, evaluating, analyzing or transporting a person who is detained or under arrest for a DUI;
- A law enforcement explorer;
- A traffic infraction enforcement officer;
- A parking enforcement specialist;
- A person licensed as a security officer and wearing a uniform bearing at least one patch or emblem that is visible at all times and clearly identifies the person's employing agency and that the person is a licensed security officer; and
- A security officer employed by the board of trustees of a community college.

Reclassifying an offense has the effect of increasing the maximum sentence that can be imposed for that offense. Under s. 784.07, F.S., the reclassification of the degree of the offense is as follows:

- In the case of assault, from a second-degree misdemeanor[5] to a first-degree misdemeanor.[6]
- In the case of battery, from a first-degree misdemeanor to a third-degree felony.[7]

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[1] Assault, which is a second-degree misdemeanor, is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent. S. 784.011(1), F.S.

[2] Aggravated assault, which is a third-degree felony, is the commission of an assault using a deadly weapon without intent to kill or the commission of an assault with the intent to commit a felony. S. 784.021, F.S.

[3] Battery, which is a first-degree misdemeanor, is actually and intentionally touching or striking another person against the will of that person or intentionally causing bodily harm to another person. S. 784.03(1)(a), F.S.

[4] A person commits aggravated battery, a second-degree felony, if the person, in committing a battery: intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant. S. 784.045, F.S.

[5] A misdemeanor of the second degree is punishable by up to 60 days in county jail and a fine not exceeding $500. Ss. 775.082(4)(b) and 775.083(1)(e).

[6] A misdemeanor of the first degree is punishable by up to 1 year in county jail and a fine not exceeding $1,000. Ss. 775.082(4)(a)and 775.083(1)(d), F.S.

- In the case of aggravated assault, from a third-degree felony to a second-degree felony.[8]
- In the case of aggravated battery, from a second-degree felony to a first-degree felony.[9]

Further, if, during the commission of a battery subject to reclassification as a third-degree felony, the person possessed:

- A firearm or destructive device, the person is subject to a mandatory minimum term of imprisonment of three years; or
- A semiautomatic firearm, its high-capacity detachable box magazine, or a machine gun, the person is subject to a mandatory minimum term of imprisonment of eight years.[10]

OTHER RESOURCES:

Gainesville Man Arrested After Allegedly Shooting at GRU Employees, 7-Hour Stand-Off

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	18 Y, 0 N, As CS	3/26/2025	Hall	Saunders
THE CHANGES ADOPTED BY THE COMMITTEE:	• Revised the definition of utility worker. • Narrowed the reclassification of assault or battery on a utility worker to only apply when a utility worker is engaged in work on critical infrastructure as defined in s. 812.141(1), F.S. • Removed the offense severity ranking chart.			
Economic Infrastructure Subcommittee			Keating	Bauldree
Judiciary Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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[7] A felony of the third degree is punishable by a term of imprisonment not exceeding 5 years and a fine not exceeding $5,000. Ss. 775.082(3)(e), 775.083(1)(c), or s. 775.084, F.S.
[8] A felony of the second degree is punishable by a term of imprisonment not exceeding 15 years and a fine not exceeding $10,000. Ss. 775.082(3)(d), 775.083(1)(b), or s. 775.084, F.S.
[9] A felony of the first degree is punishable by term of imprisonment not exceeding 30 years and a fine not exceeding $10,000. Ss. 775.082(3)(b), 775.083(1)(b), or s. 775.084, F.S.
[10] S. 784.07(3), F.S.

A bill to be entitled

An act relating to assault or battery on a utility worker; amending s. 784.07, F.S.; defining the term "utility worker"; providing for reclassification of certain offenses committed against a utility worker; amending ss. 901.15, 943.051, 985.11, and 985.644, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 784.07, Florida Statutes, is amended, and paragraph (h) is added to subsection (1) of that section, to read:

784.07 Assault or battery of law enforcement officers and other specified personnel; reclassification of offenses; minimum sentences.—

(1) As used in this section, the term:

(h) "Utility worker" means a person who bears at least one patch, emblem, organizational identification, or other clear marking intended to be plainly visible and that identifies the employing or contracting utility and that clearly identifies the person as a utility worker under contract with or employed by an entity that owns, operates, leases, or controls a plant, property, or facility for the generation, transmission,

distribution of, or furnishing to or for the public of electricity, natural or manufactured gas or propane, water, wastewater, telephone, or communications service, including two or more utilities rendering joint service.

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, hospital personnel, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, ~~or~~ a security officer employed by the board of trustees of a community college, or a utility worker engaged in work on critical infrastructure as defined in s. 812.141(1) while the officer, firefighter, emergency medical care provider, hospital personnel, railroad special officer,

traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, ~~or~~ security officer, or utility worker is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any other provision of law, a person convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under s. 870.01 shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

Section 2. Subsection (15) of section 901.15, Florida Statutes, is amended to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(15) There is probable cause to believe that the person has committed assault upon a law enforcement officer, a firefighter, an emergency medical care provider, public transit employees or agents, or other specified persons ~~officers~~ as set forth in s. 784.07 or has committed assault or battery upon any employee of a receiving facility as defined in s. 394.455 who is engaged in the lawful performance of his or her duties.

Section 3. Paragraph (b) of subsection (3) of section 943.051, Florida Statutes, is amended to read:

943.051 Criminal justice information; collection and storage; fingerprinting.—

(3)

(b) A minor who is charged with or found to have committed the following offenses shall be fingerprinted and the fingerprints shall be submitted electronically to the department, unless the minor is issued a prearrest delinquency citation pursuant to s. 985.12:

1. Assault, as defined in s. 784.011.

2. Battery, as defined in s. 784.03.

3. Carrying a concealed weapon, as defined in s.

790.01(2).

4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).

5. Neglect of a child, as defined in s. 827.03(1)(e).

6. Assault or battery on a law enforcement officer, a firefighter, or other specified persons ~~officers~~, as provided ~~defined~~ in s. 784.07 ~~784.07(2)(a) and (b)~~.

7. Open carrying of a weapon, as defined in s. 790.053.

8. Exposure of sexual organs, as defined in s. 800.03.

9. Unlawful possession of a firearm, as defined in s. 790.22(5).

10. Petit theft, as defined in s. 812.014(3).

11. Cruelty to animals, as defined in s. 828.12(1).

12. Arson, as defined in s. 806.031(1).

13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property, as provided in s. 790.115.

Section 4. Paragraph (b) of subsection (1) of section 985.11, Florida Statutes, is amended to read:

985.11 Fingerprinting and photographing.—

(1)

(b) Unless the child is issued a prearrest delinquency citation pursuant to s. 985.12, a child who is charged with or found to have committed one of the following offenses shall be fingerprinted, and the fingerprints shall be submitted to the

Department of Law Enforcement as provided in s. 943.051(3)(b):

1. Assault, as defined in s. 784.011.

2. Battery, as defined in s. 784.03.

3. Carrying a concealed weapon, as defined in s. 790.01(2).

4. Unlawful use of destructive devices or bombs, as defined in s. 790.1615(1).

5. Neglect of a child, as defined in s. 827.03(1)(e).

6. Assault on a law enforcement officer, a firefighter, or other specified persons ~~officers~~, as defined in s. 784.07 ~~784.07(2)(a)~~.

7. Open carrying of a weapon, as defined in s. 790.053.

8. Exposure of sexual organs, as defined in s. 800.03.

9. Unlawful possession of a firearm, as defined in s. 790.22(5).

10. Petit theft, as defined in s. 812.014.

11. Cruelty to animals, as defined in s. 828.12(1).

12. Arson, resulting in bodily harm to a firefighter, as defined in s. 806.031(1).

13. Unlawful possession or discharge of a weapon or firearm at a school-sponsored event or on school property as defined in s. 790.115.

A law enforcement agency may fingerprint and photograph a child taken into custody upon probable cause that such child has

committed any other violation of law, as the agency deems appropriate. Such fingerprint records and photographs shall be retained by the law enforcement agency in a separate file, and these records and all copies thereof must be marked "Juvenile Confidential." These records are not available for public disclosure and inspection under s. 119.07(1) except as provided in ss. 943.053 and 985.04(2), but shall be available to other law enforcement agencies, criminal justice agencies, state attorneys, the courts, the child, the parents or legal custodians of the child, their attorneys, and any other person authorized by the court to have access to such records. In addition, such records may be submitted to the Department of Law Enforcement for inclusion in the state criminal history records and used by criminal justice agencies for criminal justice purposes. These records may, in the discretion of the court, be open to inspection by anyone upon a showing of cause. The fingerprint and photograph records shall be produced in the court whenever directed by the court. Any photograph taken pursuant to this section may be shown by a law enforcement officer to any victim or witness of a crime for the purpose of identifying the person who committed such crime.

Section 5. Paragraph (a) of subsection (3) of section 985.644, Florida Statutes, is amended to read:

985.644 Departmental contracting powers; personnel standards and investigation.—

(3)(a) All employees of the department and all personnel of contract providers for any program for children, including all owners, operators, employees, persons who have access to confidential juvenile records, and volunteers, must complete:

1. A level 2 employment screening pursuant to chapter 435 before employment. The security background investigation conducted under this section must ensure that, in addition to the disqualifying offenses listed in s. 435.04, no person subject to the background screening provisions of this section has an arrest awaiting final disposition for, been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under the following provisions of state law or similar laws of another jurisdiction:

a. Section 784.07, relating to assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified persons ~~officers~~.

b. Section 817.568, relating to criminal use of personal identification information.

2. A national criminal records check by the Federal Bureau of Investigation every 5 years following the date of the person's employment.

Section 6. This act shall take effect October 1, 2025.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 1525	**COMPANION BILL:** SB 1696 (Calatayud)
TITLE: Prearranged Transportation Services	**LINKED BILLS:** None
SPONSOR(S): Busatta	**RELATED BILLS:** None

Committee References

Criminal Justice	➤	Economic Infrastructure	➤	Judiciary
16 Y, 0 N, As CS				

SUMMARY

Effect of the Bill:

The bill prohibits a person from willfully impersonating a transportation network company (TNC) driver by engaging in specified conduct. Under the bill, a violation of the prohibition is a generally a second degree misdemeanor, however, a person commits a third degree felony if he or she willfully impersonates a TNC driver during the commission of, or to facilitate the commission of, a separate felony offense.

Additionally, the bill clarifies that services purchased from a TNC do not qualify as privately owned or operated bus transit systems and that a TNC is not a transportation service provider, and thus TNCs are not subject to specified regulations.

Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on jail and prison beds by creating a new misdemeanor and felony offense for impersonating a TNC driver, which may result in increased jail and prison admissions. The bill may have an indeterminate positive impact on the private sector by exempting TNCs from specified requirements related to safety inspections and driver training.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill creates a criminal offense related to the impersonation of a transportation network company (TNC) driver. Under the bill, a person commits a second degree misdemeanor[1] if he or she willfully impersonates a TNC driver by:

- Making a false statement;
- Displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a TNC; or
- Engaging in any other act that falsely represents that he or she represents a TNC or is responding to a passenger ride request for a TNC. (Section 1)

Additionally, a person who willfully impersonates a TNC driver during the commission of, or to facilitate the commission of, a separate felony offense commits a third degree felony.[2] (Section 1)

The bill clarifies that services purchased from a TNC do not qualify as "privately owned or operated bus transit systems," and thus are not subject to specified regulations related to transit safety standards, inspections, and system safety reviews. (Section 2)

The bill amends the definition of "transportation service provider" to specify that such service providers:

[1] A second degree misdemeanor is punishable by up to 60 days in county jail and a $500 fine. Ss. 775.082 and 775.083, F.S.
[2] A third degree felony is punishable by up to five years in prison and a $5,000 fine. Ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.

- Are organizations or entities that contract with local governments to provide paratransit service to persons with disabilities using a dedicated fleet of vehicles operated by its employees or directly contracted drivers who meet paratransit service standards; and
- Do not include TNCs as defined in s. 627.748(1), F.S. (Section 3)

Finally, the bill changes the current requirement for transportation service providers to provide training to each driver of a motor vehicle used to provide paratransit service to persons with disabilities, which must meet requirements established by the Agency for Persons with Disabilities, to instead require such transportation service providers to provide each driver with *access* to third-party training materials that meet such requirements. (Section 3)

The effective date of the bill is July 1, 2025. (Section 4)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate positive impact on prison beds by creating a felony offense related to impersonating a TNC driver, which may result in more offenders being sentenced to prison.

LOCAL GOVERNMENT:

The bill may have an indeterminate positive impact on jail beds by creating a misdemeanor offense related to impersonating a TNC driver, which may result in more offenders being sentenced to jail.

PRIVATE SECTOR:

The bill may have an indeterminate positive impact on the private sector by exempting TNCs from specified requirements related to safety inspections and driver training, which may reduce expenses incurred by TNCs that are currently complying with such requirements.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Transportation Network Companies

In 2017, the Legislature established a regulatory framework for transportation network companies.[3] A "transportation network company" or "TNC" is an entity operating in this state using a digital network to connect a rider to a TNC driver, who provides prearranged rides. Specifically, a TNC:

- Does not own, control, operate, direct, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract.
- Is not a taxicab association.
- Is not an individual, corporation, partnership, sole proprietorship, or other entity that arranges medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.[4]

A TNC driver receives connections to potential riders and related services from a TNC and in return for compensation, uses a TNC vehicle to offer or provide a prearranged ride to a rider after being connected through a digital network.[5] A TNC or TNC driver is not a common carrier, contract carrier, or motor carrier and does not provide taxicab service, and is not required to register a TNC vehicle as a commercial motor vehicle or a for-hire

[3] S. 627.748, F.S.
[4] However, a TNC may provide prearranged rides to individuals who qualify for Medicaid or Medicare if it meets specified requirements under s. 627.748, F.S.
[5] S. 627.748(1)(g), F.S.

vehicle.[6] A TNC's digital network must display the TNC driver's photograph and the TNC vehicle's license plate number before the rider enters the TNC vehicle.[7]

Transit Safety Standards

Section 341.061, F.S., requires the Department of Transportation (Department) to adopt rules establishing minimum equipment and operational safety standards for the following entities:

- Governmentally owned bus transit systems and privately owned or operated bus transit systems operating in this state that are financed wholly or partly by state funds;
- Bus transit systems created pursuant to chapter 427, F.S., including school buses and other forms of public transportation; and
- Privately owned or operated bus transit systems under contract with any of the above systems.

Such bus transit system standards must be developed jointly by the Department and representatives of the transit systems. Accordingly, each bus transit system must:

- Develop a transit safety program plan that complies with established standards;
- Certify to the Department that such plan complies with established standards; and
- Implement and comply with the plan during the operation of the transit system.[8]

Additionally, as part of the safety plan, each bus transit system must:

- Require all transit buses operated by the system to be inspected at least annually in accordance with established standards;
- Ensure that qualified personnel of the bus transit system, or public or private entities qualified by the bus transit system, perform safety inspections; and
- Annually certify in writing to the department that it has complied with the adopted safety program plan and safety inspections.[9,10]

Transportation Service Providers

A "transportation service provider" is an organization or entity that contracts with a local government to provide paratransit service to persons with disabilities.[11] In part, for contracts entered into or renewed on or after October 1, 2024, a transportation service provider must agree to provide training to each driver of a motor vehicle used to provide paratransit service to persons with disabilities which, at a minimum, meets requirements established by the Agency for Persons with Disabilities[12] for training and professional development of staff providing direct services to clients of the agency.[13]

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[6] S. 627.748(2), F.S.
[7] S. 627.748(5), F.S.
[8] S. 341.061(2)(a), F.S.
[9] S. 341.061(2)(b), F.S.
[10] The Department may conduct a review of any bus transit system that does not comply with specified safety program plan regulations, which may result in adverse findings and required corrective actions. The system operator must suspend an affected system service until corrective action is taken if continued operation of the system, or a portion thereof, poses an immediate danger to public safety, and the Department itself may require such affected system service to be suspended if the system operator fails to take corrective action or fails to suspend service when immediate danger to the public exists. S. 341.061(2)(c), F.S.
[11] S. 427.02(1), F.S.
[12] *State of Florida*, APD - Agency for Persons with Disabilities (last visited Mar. 19, 2025).
[13] S. 427.02(2)(a), F.S.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	16 Y, 0 N, As CS	3/19/2025	Hall	Butcher
THE CHANGES ADOPTED BY THE COMMITTEE:	• Clarified that a person commits a third degree felony if he or she impersonates a transportation network company driver during the commission of, or to facilitate the commission of, a separate felony offense. • Made technical changes.			
Economic Infrastructure Subcommittee			Bauldree	Keating
Judiciary Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

A bill to be entitled

An act relating to prearranged transportation services; creating s. 316.2021, F.S.; prohibiting the impersonation of a transportation network company driver; providing criminal penalties; amending s. 341.061, F.S.; providing that services purchased from a transportation network company are not considered privately owned or operated bus transit systems; amending s. 427.02, F.S.; revising the definition of the term "transportation service provider"; requiring transportation service providers to provide certain drivers with access to certain training materials; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 316.2021, Florida Statutes, is created to read:

316.2021 Unlawful impersonation of transportation network company driver.—

(1) A person may not impersonate a transportation network company driver, as defined in s. 627.748(1), by making a false statement; displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a transportation network company; or engaging in any other act that falsely represents

that the person represents a transportation network company or is responding to a passenger ride request for a transportation network company.

(2)(a) Except as provided in paragraph (b), a person who willfully violates subsection (1) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who willfully violates subsection (1) during the commission of, or to facilitate the commission of, a separate felony offense commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Paragraph (d) is added to subsection (2) of section 341.061, Florida Statutes, to read:

341.061 Transit safety standards; inspections and system safety reviews.—

(2)

(d) Services purchased from a transportation network company as defined in s. 627.748(1) which otherwise comply with the provisions of s. 627.748 are not privately owned or operated bus transit systems.

Section 3. Subsection (1) and paragraph (a) of subsection (2) of section 427.02, Florida Statutes, are amended to read:

427.02 Paratransit service contracts for transportation service providers.—

(1) For purposes of this section, the term "transportation

service provider" means an organization or entity that contracts with a local government to provide paratransit service to persons with disabilities using a dedicated fleet of vehicles operated by its employees or directly contracted drivers who meet paratransit service standards. The term does not include a transportation network company as defined in s. 627.748(1).

(2) For contracts entered into or renewed on or after October 1, 2024, a transportation service provider must agree to:

(a) Provide ~~training to~~ each driver of a motor vehicle used to provide paratransit service to persons with disabilities with access to third-party training materials which, at a minimum, meet ~~meets~~ requirements established by the Agency for Persons with Disabilities for training and professional development of staff providing direct services to clients of the agency.

Section 4. This act shall take effect July 1, 2025.