



PBC 2022 Legislative Update

Department of Legislative Affairs

Week 7: February 21 - February 25

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REMINDER: Florida House District 88 Election

The Special Election for the office of State Representative, District 88, will be next week on **March 8, 2022**. All voters registered on or before February 7, 2022, regardless of party affiliation, living within State Representative District 88, will be eligible to vote in the Special Election.

Redistricting

On Friday afternoon, the House Redistricting Committee voted 15-9 to advance to the full House a pair of revised congressional maps that Democrats and other critics said fall short of requirements under a 2010 “Fair Districts” constitutional amendment. This House plan consists of a secondary map if the courts toss out the primary map. With two weeks left in the 60-day legislative session, lawmakers are trying to finalize a congressional map as part of the once-a-decade redistricting process.

The primary map (H 8017), introduced late Thursday, would eliminate the sprawling shape of Congressional District 5 and make it compact within Duval County. DeSantis has pushed for a similar compact design of the district, calling the existing configuration unconstitutional. But the state Senate’s proposed congressional map, which was approved last month, would keep the sprawling design of District 5, which was approved by the state Supreme Court in 2015. Lawmakers also have said keeping the design would avoid diminishing the ability of minorities to elect a representative of their choice.

Surgeon General Confirmed

The Senate on Wednesday confirmed the appointment of state Surgeon General Joseph Ladapo over the objections of several Democrats who charged he was unqualified to lead the state during a pandemic and was chosen because of his controversial views on the COVID-19 virus that align with those of Gov. Ron DeSantis.

Budget and Taxes

The two presiding officers have agreed upon budget allocations, which have not been publicly released yet. Budget conference meetings will kick off early this week. For those unfamiliar with the budget process, the two chambers must agree on how much money each silo will be allocated, hence “allocations.” The subcommittee budget chairs will meet to discuss differences in each silo’s budget and attempt to iron out the differences through offers to the other chamber. This process continues until each side cannot agree further and all remaining, non-matching line items get “bumped” to the full appropriations chairs. Any unresolved issues after those budget conferences get bumped to the president and speaker. The full House took up Senate budget conforming bills on Tuesday, replacing each one with a blank bill, a procedure putting the chambers in place to begin negotiations. Some lawmakers had questions regarding a Senate environmental proposal (SB 2508) and a proposal related to the Florida Gaming Commission (SB 2510) but were told to refrain from questions until budget conference committees meet. Both chambers must now work out their differences and agree on a budget during the final weeks of session.

HB 7071 – Taxation

The House Appropriations Committee unanimously passed a broad tax package on Tuesday that would provide what supporters say is the largest collection of tax cuts in Florida history. HB 7071 includes four sales tax holidays, a reduction in property taxes for some homeowners, and other tax cuts for consumers. The proposal would give Floridians tax cuts on diapers, baby and toddler clothes for one year, children's books for three months to encourage summer reading, and impact-resistant windows, doors and garage doors for two years. Additionally, Floridians purchasing ENERGY STAR appliances would pay less in sales tax for six months. It also does away with property taxes for those impacted by the Surfside condo collapse and includes tax breaks for all homes destroyed in a catastrophic event. The package dropped sales tax from World Cup Soccer events and Formula One car races as well and is now ready for consideration by the full House.

Transportation

SB 398 / HB 157 – Transportation

A last-minute amendment was brought forward last week to HB 157 which introduced language involving mobility and impact fees. After meeting with the House and Senate sponsors, the Senate refused to accept that language, and the House sponsor agreed to remove that section of his amendment on Friday afternoon.

Healthcare

SB 146 / HB 5 – Reduced Fetal and Infant Mortality

The Senate Appropriations committee passed SB 146, which now moves to the Senate floor. The measure would ban abortions in the state after 15 weeks and revamp legal definitions of gestation. Similar legislation which passed in Mississippi is still be considered by the U.S. Supreme Court. It would also include other pregnancy initiatives, such as requiring a tobacco use prevention program and providing money for fetal and infant mortality review committees. The proposal has no exceptions for rape, incest or human trafficking, but would allow for abortions in extreme cases of serious medical emergencies affecting the mother, or if fatal fetal abnormalities are present. The legislation would also require two separate physicians to certify in writing that termination of a pregnancy is necessary to save the pregnant person’s life. HB 5 previously passed the House on 2/17.

SB 1222 / HB 937 – Acute and Post-Acute Hospital Care at Home

The Senate on Wednesday unanimously passed a measure (SB 1222) allowing paramedics to perform certain medical care usually delivered at the hospital but in patients' homes. Since 2020, the Centers for Medicare and Medicaid Services has approved several waivers for health systems to provide acute care at home. The bill would expand authorization for such programs, allowing paramedics to perform certain services to acute care patients in their homes under particular circumstances as long as the program has approval from CMS and the Agency for Health Care Administration. The bill also would allow certain institutional pharmacies to prescribe medicine to be used by such at-home patients. The measure now goes to the House, where a similar bill (HB 937) is awaiting consideration on the floor.

Education

SB 1048 / HB 1193 – K-12 Assessments and Accountability

A measure that would replace standardized testing with a new "progress monitoring program" cleared its final committee in the House on Wednesday, sending the bill to the floor. The bill (HB 1193) now heads to the House floor. The idea behind the proposal is to spread out testing throughout the year to allow teachers to better use the results to work with students on improving weaknesses. The legislation also caps class time dedicated to state testing at 5%. The progress monitoring tests would replace the Florida Standards Assessment, or FSA. The move is generally supported by teachers, and is backed by Gov. Ron DeSantis. SB 1048 is on 2nd Reading on the Senate floor.

SB 1834 / HB 1557 – Parental Rights in Education

After much debate, the house passed (69-47) HB 1557, which includes a provision that prevents teachers from discussing sexual orientation with younger students that has drawn extensive debate and criticism. Opponents worry the proposal could be detrimental for some children's well-being, especially LGBTQ youth and kids living in abusive households. Supporters, including Gov. Ron DeSantis, say the measures are aimed at asserting the rights of parents to control what their kids learn in school. The Senate bill is on the Appropriations agenda for 2/28.

SB 148 / HB 7 – Individual Freedom

The House on Thursday passed legislation (HB 7) to prohibit workplace training sessions and school curriculum from including instruction that individual people have any responsibility for past actions of members of their race or should feel guilty about what their racial group has done and several other elements related to race and racism. The measure passed 74-41 after lengthy debate that exposed a fundamental difference of opinion between Republican supporters of the measure and Democrat opponents about what the bill would actually do. Republicans contend the measure precludes instructors from teaching white people that they are part of a still racist system embedded deeply in American society and that white students aren't told they bear responsibility for that. Democrats say the measure cuts off discussion of whether racism is structural and will muzzle any efforts by teachers to point out ongoing racial inequities and their possible root causes. The bill now goes to the Senate and will be heard in the Rules Committee on 3/1/22 at 1:30PM.

Judiciary

SB 7040 / HB 7029 –Time Limitations for Preadjudicatory Juvenile Detention Care

Juveniles alleged to have committed serious crimes could be locked up for longer while awaiting trial under legislation that cleared committees in both the House and Senate. The bills would allow for a child to be in custody beyond the current 21 days, including being electronically monitored. Supporters say the change is needed for public safety reasons while opponents claim the bill is too vague and focuses more on punishment rather than rehabilitation. The Senate Rules Committee passed SB 7040 on a 11-6 vote Wednesday morning and the House Judiciary Committee passed a similar bill (HB 7029) Wednesday afternoon by a 13-7 vote. Both measures now head to their respective chamber floors.

SB 974 / HB 985 – Sovereign Immunity

A measure that changes the limits for claims amounts in lawsuits against local governments is ready for a final committee vote after debate over proposed payout tiers prompted a last-minute change in its final committee stop. That amendment left the new Senate limits at \$400,000/claim and \$600,000/occurrence. SB 974 is not on the Senate Appropriations agenda for Monday and that committee is not scheduled to meet again. HB 985 was Temporarily Postponed in the Judiciary Committee this week.

SB 552 / HB 397 - Court Fiscal Administration

Legislation (HB 397) approved unanimously Tuesday in the House Appropriations Committee is aimed at shoring up clerks of court budgets, but also sets out caps on how much people paying court fees are responsible for when they're on monthly payment plans. The bill limits monthly payments to a maximum of 2% of a person's annual income, divided by 12, or \$25, whichever is more. Down payments to set up a plan would be 10% of the amount owed, or \$100, whichever is less. The measure now heads to the House floor. SB 552 is scheduled to be heard in the Appropriations Committee on Monday.

SB 1702 / HB 7069 – Building Safety

A bill (SB 1702) to establish more frequent mandatory inspections of buildings around the state, one of the first pieces of legislation in response to the 2021 collapse of the Champlain Towers South condo in Surfside, was unanimously approved Wednesday in the Senate Rules Committee. The measure would require that multifamily buildings of three stories or more undergo engineering inspections after 30 years and every 10 years thereafter. Buildings within three miles of the coast would have to be inspected 20 years after construction and every 7 years after that. The measure is now available for the full Senate to consider on the floor. House legislation on the issue (HB 7069) passed the full House on Thursday; 114-0.

SB 951 / HB 1307 – Citizens Property Insurance Corporation

Several proposals seeking to help shore up Florida's property insurance market cleared the House Commerce Committee on Wednesday. HB 1307 would require homeowners to go with private home insurance carriers that come within 4% of the state-supported Citizens Property Insurance rate. That percentage would gradually increase to within 20% of the Citizens rate by 2027, which would push some residents out of the cheaper coverage offered by Citizens. The proposal aims to reduce the number of policies written by state-backed Citizens Property insurance, which is on track to grow to more than one million policies by the end of the year. If Citizens keeps growing, a major storm could leave Florida taxpayers footing the bill. A similar bill in the Senate (SB 1728) is scheduled to be considered in its final committee stop on Monday. The committee also approved HB 951, which would allow the sale of surplus lines policies in Florida, a measure aimed at boosting the available property insurance options for Florida homeowners.

SB 1864 / HB 9 – Consumer Data Privacy

Legislation refiled this session targets companies that record consumers' personal information and sell it. Last year, the House and Senate ran out of time trying to work out an agreement regarding the "Florida Privacy Protection Act." The House Judiciary Committee approved a proposal on Wednesday that would require online companies to disclose what type of information they collect on consumers and how they analyze or sell that information. HB 9 would also make it easier for users to block information from being collected and shared. The bill was amended to include a requirement that companies must remove a user's information within 48 hours if requested and if they don't comply, they could be sued. The House measure is now ready for the floor but a similar, yet not identical Senate companion (SB 1864), has yet to move.

SB 524 / HB 7061 – Election Administration

Legislation that seeks to crack down on voter fraud cleared its final committee stop on Thursday in the Senate and is now ready for the floor. The measure adds new requirements for voters who are using mail-in ballots and creates a new state office to investigate allegations of voter fraud, including a new "Elections Security Force." SB 524 passed the Senate Appropriations Committee on a 12-8 vote after members approved an amendment. Originally, the proposal required voters to use three separate envelopes to send a vote-by-mail ballot but now the bill directs the Department of State to evaluate and make recommendations to vote-by-mail ballots. The legislation now also requires election supervisors to update voter registration rolls annually versus the biennial requirement in current law. Additionally, the Department of Health would have to provide death information to the Department of State. Registered voters who don't verify their address and have not been active in two election cycles will be removed from the database. Lastly, the broad proposal bans Supervisors of Elections' offices from accepting private donations in an attempt to curtail potential conflicts of interest. The House version of the bill still has one more committee to clear. HB 7061 still requires additional envelopes to be used and extra identification procedures for Floridians that vote by mail. HB 7061 will be heard in the Appropriations Committee on Monday 02/28/22, 10:30 am.

SB 1800 / HB 1543 – Broadband Infrastructure

A proposal seeking to create a state program to help Internet service providers expand services in rural areas now heads to its final Senate committee. However, the bill was amended on Tuesday to remove roughly \$500 million in designated federal funds. According to the bill sponsor, Florida is still awaiting approval for the federal funds but once the money is administered, Internet companies could contract with the Department of Economic Opportunity to replace and update broadband poles. SB 1800 unanimously passed the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Committee and a similar House companion (HB 1543) is also awaiting consideration in its final committee.

SB 898 / HB 577 – Tenant Safety

Background checks would be required for apartment employees, including maintenance staff, under legislation that unanimously passed the Senate Appropriations Subcommittee on Agriculture, Environment, and General Government Committee on Tuesday. SB 898 was filed after the murder of an Orlando-area college student. Police believe Miya Marcano was killed in her apartment by a maintenance worker who had access to a master key. The suspect, who has since committed suicide, also had a criminal background. The measure is named after the victim and aims to strengthen tenant safety in large apartment complexes. The bill also strengthens requirements regarding access to individual units, increasing the required notice to 24 hours and making sure apartment maintenance departments keep a detailed log of key use. The measure has one more committee stop. A similar bill in the House, HB 577, is also awaiting its final committee hearing, Commerce, which may not meet again and does not require landlords to conduct a national background check on employees.

BILLS MOVING LAST WEEK

SB 160 / HB37 - Pahokee Road Designation:

- SB 160 will be heard in Approps on Monday 2/28 10:30
- HB 37 was absorbed into HB 315 and passed the Commerce Committee and heads to the House Floor

SB 224 / HB 105 - Regulation of Smoking:

- SB 224 was Temporarily Postponed on the Senate Floor.
- HB 105 passed the House 105-10.

SB 342 / HB 195 - Juvenile Diversion Program Expunction and SB 344 / HB 197 - Juvenile Diversion Public Records Exemption:

- SB 342 and SB 344 each remain on Special Order on the Senate Floor.
- HB 195 and 197 each passed the House 115-0 on Thursday

SB 494 / HB 323 - FWCC (Derelict vessels):

- SB 494 passed the Senate 39-0.
- HB 323 passed the State Affairs Committee 22-0 and heads to the House floor.

SB 518 / HB 1555 - Tree Trimming:

- SB 518 passed the Rules Committee 16-0 and now heads to the Senate floor.
- HB 1555 remains on 2nd Reading

SB 578 / HB 837 - Hurricane Loss Mitigation:

- SB 578 will be heard in the Appropriations Committee 2/28 10:30
- HB 837 passed the Commerce Committee 20-0 and moves to the House floor.

SB 620 / HB 569 - Local Business Protection Act:

- SB 620 previously passed the Senate 22-14
- HB 569 Passed the House Judiciary Committee 13-7 and now heads to the House floor.

SB 704 / HB 479 - Substance Abuse Service Providers:

- SB 704 previously passed the Senate 37-0
- HB 479 passed the Health and Human Services Committee 17-0 and now moves to the House floor.

SB 730 / HB 459 - Step-Therapy Protocols:

- SB 730 passed the Rules Committee 17-0
- HB 459 passed the House

SB 800 / HB 685 - Economic Development - Glades Rural Issues:

- SB 800 will be heard in Appropriations on 2/28 10:30
- HB 685 remains on 2nd Reading

SB 1124/HB 943 – Preemption of Local Government Wage Mandates:

- SB 943 was to be heard in the House State Affairs Committee on Thursday, but was pulled from the agenda at the last minute.
- SB 1124 remains in its 2nd of 3 committees.

SB 1078 / HB 783 - Elimination of Soil and Water Conservation Districts:

- SB 1078 will be heard in the Appropriations Committee 2/28 10:30
- HB 783 remains in the State Affairs Committee

SB 1186 / HB 717 - Agritourism:

- SB 1186 passed the Appropriation Committee 19-0 and moves to the Senate floor.
- HB 717 remains on 2nd Reading

SB 1194 / HB 777 - Local Tax Referenda Requirements:

- SB 1194 passed the Appropriations Committee 19-0 and moves to the Senate floor.
- HB 777 remains on Special Order on the House floor

SB 1326 / HB 513 - Comp. Review of C & SF Project:

- SB 1326 remains on Special Order in the Senate.
- HB 513 passed the House 112-0.

SB 1746 / HB 1 - Additional Homestead Exemption:

- SB 1746 remains in the Appropriations Committee
- HB 1 passed the House 115-0

BILLS ON LIFE SUPPORT

Monday (Day 49) is the last day for policy committees to meet, so if a bill has not made it through its assigned committees, it is “likely” dead for the session. (In Tallahassee, “likely” means: Unless leadership decides to remove a committee of reference and bring a bill directly to the floor.)

SB / HB

- 512 / 325 Vacation Rentals
- 690 / 691 Resilience-Related Advisory Committees
- 696 / 405 Transportation Network Companies
- 946 / 217 Film and TV Rebate Program
- 1156 / 935 Long Term Recycling Goal Study
- 1420 / 1213 Public Records for County and City Attorneys
- 1542 / 673 TDC Taxes
- 1824 / 1415 Alternative Mobility Funding Systems
- 436 / 271 DUI - Impairing Substance
- 716 / 307 Animal Adoption Public Record
- 1020 / 635 Building Plans
- 1030 / 681 Impact Fee Credits
- 1142 / 827 District Boundaries
- 1144 / 693 Local Government COPCN
- 1158 / 707 Home Kitchens
- 244 / 35 Partisan School Board Elections
- 932 / 727 Everglades Protection Area
- 948 / 1549 Child Representation - Guardian Ad Litem
- 950 / 177 Const. Amendments - 60 - 66.67% passage requirement
- 1004 / 663 County Commissioner Recall
- 1150 / 495 Tax Exemption for Affordable Housing
- 248 / 175 Student Health Services - Hygiene products in schools

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