

BECKER UPDATE: 2021 Florida Legislative Session, Week #6

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HEADLINES

Budget. The House and Senate took votes last week on their chambers' 'proposed respective budgets for the 2021-2022 fiscal year. The House voted on Thursday to approve their \$97B proposed budget by a vote of 104-14, while the Senate unanimously passed their \$95B spending plan. Senate President Wilton Simpson signaled that he did not think an extension of session or special session would be necessary to pass the budget this year. House Appropriations Committee Chairman Jay Trumbull in turn indicated that it was "not our goal to extend."

While President Simpson has previously stated that he would like to see the expected \$10B in federal relief dollars go toward reserves, water, and infrastructure projects, the House outlined more specific goals for the money. The House has proposed that \$3.5B go toward deferred maintenance at state schools and facilities, \$2B to offset revenue losses in the state transportation fund, \$1B to fund a new Emergency Preparedness and Response fund, and \$630M for environmental programs (beach renourishment, resiliency, septic-to-sewer, etc.).

Furthermore, last week's meeting of the Revenue Estimating Conference brought news that estimated general revenue forecasts are \$2B higher than previously estimated. However, the state still faces some financial fallout because of the COVID-19 pandemic.

Resiliency & Affordable Housing. This week, the House and Senate unanimously passed SB 1954 by Senator Ray Rodrigues. This legislation establishes a \$100 million grant program that will help local governments with the costs of assessments, planning, and projects to address flooding and sea-level rise. The grants require a 50% match, but the cost-share can be waived for fiscally constrained municipalities. The grant program will be funded through the Resilient Florida Trust Fund established in a companion bill, SB 2514 by the Senate Appropriations Committee, which also passed unanimously.

In addition, both chambers passed SB 2512, which reduces the distribution of the documentary stamp tax toward the state housing trust fund. The reduction allows for funding to be diverted to the proposed Resilient Florida Trust Fund and the Water Protection Sustainability Program Trust Fund, created by new legislation

sponsored by Representative Busatta Cabrera. The legislation confirms this session's theme of environmental stewardship, resiliency, and flood mitigation.

HB 1429 by Speaker Pro Tempore Avila will be heard before the House on Tuesday, April 13th. If passed, this legislation would free up tourist and convention center development taxes to be used for the financing of flood mitigation projects or improvements.

Piney Point. On Wednesday, the Senate allocated \$3 million in its budget for cleanup at the Piney Point site. Senate President Wilton Simpson said the work could require up to \$200 million, which he hopes can be funded this year with federal stimulus money. He also said the state should look at similarly troubled sites and degraded waterways.

Cruise Ships. On Thursday, Gov. DeSantis and Attorney General Ashley Moody appeared at PortMiami to announce a lawsuit against federal health officials for sidelining the cruise industry during the pandemic. The lawsuit, filed in federal district court in Tampa, asks a federal judge to lift restrictions imposed by the federal Centers for Disease Control and Prevention that have idled cruise ships in the U.S. for more than a year. "We don't believe the federal government has the right to mothball a major industry for over a year, based on very little evidence and very little data," DeSantis said.

TALLAHASSEE NEWS & UPDATES

Protest. On Friday, the Senate Appropriations Committee passed HB 1 after nine hours of debate and testimony. The favorable 11-9 vote fell mostly along party lines, with Sen. Jeff Brandes crossing the aisle to join the Democrats on the committee in voting against the legislation. The bill, a top priority of Gov. DeSantis, would create a new crime of "mob intimidation" and enhance penalties on existing riot-related offenses.

Elections. On Thursday, the House Appropriations Committee passed HB 7041 by Rep. Ingoglia, by a vote of 17-8. Among other things, the bill would establish a statewide standard for the monitoring of ballot drop boxes, as well as the handling and sending of ballots. In the Senate version of the bill, SB 90 by Sen. Baxley, ballot drop boxes would be done away with altogether. SB 90 is set for its final committee stop before the Senate Rules Committee on Wednesday, April 14th.

Unemployment. On Tuesday, the House Infrastructure & Tourism Subcommittee passed HB 1463 by Representative LaMarca, which seeks to overhaul the less-than-decade-old CONNECT unemployment system and move to a cloud-based system. A similar proposal in the Senate, SB 1948, awaits an appearance before the Appropriations Committee.

Taxes. On Thursday, the House and Senate passed SB 50 by Senator Gruters, which would force online retailers to collect and remit sales taxes to the state. The bill will now go to the Governor's desk for approval.

Insurance. HB 305 by Representative Rommel passed its second committee stop on Tuesday by a favorable vote of 11-7 before the House Civil Justice & Property Rights Subcommittee. This legislation sets new guidelines and restrictions on certain practices of contractors, having to do with, among other things, reopened claims under property insurance policies. Its companion in the Senate, SB 76 by

Senator Boyd, contains troublesome language that would reduce the potential reimbursement for those with damaged roofs.

Intellectual Freedom. The Senate on Wednesday passed HB 233 by a vote of 23-15, which would require colleges and universities to conduct surveys on students, faculty, and staff members to gauge “intellectual freedom and viewpoint diversity” on campus. The House passed the measure on March 18th by a vote of 77-42.

PREEMPTION

Seaports. SB 426 State Preemption of Seaport Regulations by Senator Boyd will be taken up on Wednesday, April 14th, in its last committee stop, the Senate Rules Committee. The bill seeks to transfer the regulatory power of commerce in state seaports exercised by localities to the state. The House version of the legislation awaits being placed on the agenda of the House Commerce Committee before heading for a vote by the full House.

Local Occupational Licensing. SB 268 Preemption of Local Occupational Licensing by Senator Perry passed its last committee stops on Tuesday in the Senate Rules Committee by a vote of 11-5. The bill would preempt licensing of occupations to the state and prohibit local governments from imposing additional licensing requirements or modifying licensing. The House companion, HB 735 by Rep. Harding, has already passed the House.

Home-Based Businesses. SB 266 Home-Based Businesses by Senator Perry will be heard before its final committee stop on Wednesday, April 14th, the Senate Rules Committee. In essence, this legislation would preempt a local government from being allowed to regulate or ban businesses from being run in a residential zone and sets forth certain restrictions. Its companion in the House, HB 403 by Representative Giallombardo, is on the second reading calendar to be heard on the House floor.

Vacation Rentals. CS/CS/SB 522 Vacation Rentals by Senator Diaz will be heard before its final committee stop on Wednesday, April 14th, the Senate Rules Committee. In essence, this legislation would require advertising platforms to collect and remit taxes for certain transactions. It also revises an exemption to the prohibition against certain local regulation of vacation rentals. The current version of the bill protects existing vacation rental regulations but preempts cities from specifically regulating advertising platforms.

Becker’s State Legislative Lobbying Team will continue to monitor these developments as they evolve and will share with you as soon as information becomes available.