

“Opinion: A Legislative Forecast for Florida in 2022,” South Florida Business Journal

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An incredible amount of policy passed in the 2021 legislative session. Policy that took years in the making moved quickly through the Florida House and the Florida Senate, in part because of the pandemic. The legislative members were not distracted with the usual Tallahassee traditions of interest groups and their local communities flowing in and out of the capitol halls meeting with members.

One of the most significant pieces of legislation that the Becker government team tracked and helped move through the process was the Always Ready legislation, a top priority for Speaker Chris Sprowls. He did not fear the words “climate change” or “sea level rise.” His bold leadership earned the state accolades from the bond rating companies, which has kept Florida financially strong even through a significant economic slowdown due to the pandemic. He had a willing friend and partner in the senate with Senate President Wilton Simpson. It was the perfect storm — pun intended. It will be hard to re-create 2021 and for good reason, many of us in the political world are okay with that.

How does big bold legislation impact us back home?

In many ways and based on what happens each session, our clients have to pivot, twist and turn. It is our job to help them navigate the waters of Tallahassee and the lasting impacts new policy brings. Much of Florida is seeing a population explosion as well due to the policies of our governor. Whether you agree with every policy or not, those that do are creating a housing shortage and pricing is skyrocketing for ownership and for renters.

Developers are taking advantage and in places like Fort Lauderdale, Miami and Tampa, the skyline is peppered with cranes. As a growth state with miles of coastal property, the Always Ready legislation was not only smart policy but timely. Developers and land use attorneys need to consider the flooding challenges that climate change and rising seas cause and incorporate solutions so we don't exacerbate the challenges we already face. It is an area that Becker explored about three years ago and as a result we incorporate suggested changes to development when we advise our clients. Our sea level rise practice area is taking off and in large part because our state leaders had the foresight to encourage communities to think differently about development. We think we can expect additional legislation that further enhances the changes made in 2021, which makes Florida one of the most proactive states in the nation.

A focus less on controversy and more on helping local communities

We don't think 2022 will look anything like 2021 in the state capital. First, the hustle and bustle of Tallahassee, although not as robust as previous years, will return. Clients are planning trips and industries and associations are bringing back their fly-ins. Although 2021 saw bold and big policy pass, 2022 will be on the quiet side. With redistricting and a budget packed with lots of federal cash, members will focus less on controversy and more on helping their local communities continue the COVID-19 recovery by bringing home much needed dollars in many areas including mental health services to address the stress of the events of the last two years.

Big issues won't make primetime

The big issues like gaming, marijuana and insurance, will likely not make primetime. With little activity happening during the committee weeks, there is a lot to do during session with respect to the bills that have been filed. Everything will feel like a heavy lift when it draws the attention of its opposition and members will focus on the possible and not the impossible. There is also the possibility that a headline or event, as they often occur, will suck the oxygen out of the room and turn Session on its head, but as we see it, this Session will feel more like a Hallmark movie and less like an action film.

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